

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF

AUGUST 22, 1997

(Published August 30, 1997,
in Finance and Commerce)

Council Chamber

Minneapolis, Minnesota

August 22, 1997 – 9:30 a.m.

President Cherryhomes in the Chair.

Present – Council Members Scott, Schulstad,
Rainville, Dziedzic, Thurber, Campbell, Biernat,
Niland, McDonald, Minn, Mead, President
Cherryhomes.

Absent – Herron.

Campbell moved approval of the minutes of
the regular meeting of August 8, 1997. Seconded.

Adopted upon a voice vote.

Campbell moved referral of petitions and
communications and reports of the City officers to
proper Council committees and departments.
Seconded.

Adopted upon a voice vote.

PETITIONS AND COMMUNICATIONS

CLAIMS:

CITY CLERK (263012)

Agency Rent-A-Car/Auto Damage Recoveries
Inc; Anderson, Jason; Bannerman, Corey A;
Bartlett, Tanya Stromberg & Jason; Big O
Investment Corporation; Boomgaarden, Mark W;
Burns, James C; Bury, Eugene J; Canfield, Mary;
Cuff, Lynette D; Curry, Alvin Leroy; Cusey,
Darrel William; Engwall, Rose M; Halvorson,
David; Herrly, Paul A; Hirs, Amal; Hull, Gloria
B; Ibrahim, Abdikadir & Atty Dean M Salita;
Jeschkeit, Heinz; Karsikas, Julie R & Atty Mark L
Seeger; Kluender, David Jr; Lynch, Melissa;
Mausbach, W F d/b/a Mausbach's Accounting;
McKizzie, Daniel & Annie; Merritt, JoAnn & Atty
Tracy R Eichhorn-Hicks; Radfan, Awad & Atty
Cortlen G Cloutier; Richfield Evangelical Lutheran

Church; Sanders, Julia & Stanley; Schirer, Michael
Allan; Schmidt, Julie M; Smoter,
Tanya M; USU Community Credit Union;
Wacker, Sheila J; Wajda, Larry & Wojtowicz,
Terry & Atty M Zimmer; Wysinger, Breard &
Atty Cortlen G Cloutier, Zwickey, Susan.

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263013)

Minn Hsg Finance Agency Rehabilitation Loan
Prog, Phase IX: Apprv administrative
participation in program by MCDA, & Northside &
Southside Neighborhood Hsg Services & auth
them to administer MHFA funds.

COORDINATOR-ARTS COMMISSION
(263014)

Southeast Como Neighborhood Gateway Proj:
Auth execute contr w/Norman Andersen, artist, to
complete proj in Van Cleve Park.

Columbia Park Neighborhood Gateway Proj:
Auth execute lease betw Henn Cty Regional RR
Auth & City for site, w/attached map.

COORDINATOR—GRANTS & SPECIAL
PROJECTS (263015)

FY96 Consolidated Plan: Apprv Annual
Performance & Evaluation Rep for HUD progs,
including CDBG, HOME, Emergency Shelter Grant
(ESG) & Hsg Opportunities for Persons With
Aids (HOPWA); Set pub hrg.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263016)

Riverside Plaza: MCDA: Apprv Mod 6 to
Cedar-Riverside Urban Renewal Plan & Mod 50 to
Common Plan, re supplemental land acquisition for
fire & safety purposes, w/attached maps; Set pub
hrge w/attached notice; Notice of reconvened pub
hrge. W&M/Budget Cmte: Comments.

Planning Commsn: Comments, w/attach letter.
Robt W Junghans, atty for Cedar-Riverside Land
Co: Comments opposing.

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263017)

Washburn/Roosevelt Redesign Hub Sites:
NRP: Apprv use of Henn Cty "second 7.5%" NRP
funds, approp funds; Henn Cty Bd action,
w/attachs.

Youth Coordinating Bd: Informational
brochure on Mpls Redesign.

NEIGHBORHOOD REVITALIZATION
PROGRAM (NRP) (263018)

Kingfield Neighborhood: Apprv NRP First
Step Plan, approp funds; Summary of funding to
date; Budget; Plan.

Hawthorne Neighborhood: Apprv NRP First
Step Plan, approp funds; Summary of funding to
date; Budget; Plan.

Windom Park Neighborhood: Apprv Early
Access Request for NRP funds for Central Av
Redevelopment Plan & other commercial areas,
approp funds; Summary of funding to date;
Request.

East Isles Neighborhood: Apprv Early Access
Request for NRP funds for older home &
historic renovation prog, approp funds; Summary of
funding to date; Request.

Lowry Hill East Neighborhood: Apprv Early
Access Request for NRP funds to support Jungle
Theatre, pArts Gallery, Intermedia Arts & Jefferson
School playground, approp funds; Summary of
funding to date; Request w/attachs.

Harrison Neighborhood: Apprv Action Plan,
apprv use of Henn Cty "second 7.5%" NRP funds,
approp funds; Summary of funding to date; Budget;
Henn Cty Bd action w/attachs; Plan.

INTERGOVERNMENTAL RELATIONS:

COORDINATOR (263019)

1997 State Legis Actions: Summary of grant
opportunities.

LIAISON/FEDERAL, LOCAL AND STATE
(263020)

Flood Relief: Update.

Federal Issues: Update.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

HEALTH AND FAMILY SUPPORT
SERVICES (263021)

Comm Nursing & Home Health Care Servs:
Amend #3 to Agrmt #10041 w/MVNA.

INSPECTIONS DEPARTMENT (263022)

Raze Bldgs: Apprv razing 3315 Dupont Av N
& 2809-11 Harriet Av.

LICENSES AND CONSUMER SERVICES
(263023)

Lics: Appls.

LICENSES AND CONSUMER SERVICES
(263024)

Powerhouse Electric, dba Powerhouse
Construction: Evidence Packet & Transcript.

LICENSES AND CONSUMER SERVICES
(263025)

Tax Delinquency: Revoke Lic of Tanglewood
Associates, Inc., dba Reilly's on Sixth.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/ BUDGET (See Rep):

CIVILIAN POLICE REVIEW AUTHORITY
(263026)

Leased Office Space: Contr w/Mpls Grain
Exchange for Civilian Police Review Authority.

FIRE DEPARTMENT (263027)

Physical Fitness Prog: Contr w/NW Athletic
Club.

TRANSPORTATION AND PUBLIC WORKS: AFFIRMATIVE ACTION (263028)

Affirmative Action Efforts of Public Works:
Progress report.

PUBLIC WORKS AND ENGINEERING
(263029)

Concrete Plant Proj: Status report on progress
of proj team analyzing public/private option.

Assessment Public Hearings: Set for sidewalk
repair & construction; snow & ice removal from
public sidewalks; water & sewer service line
repairs/replacements.

Transtop Minnesota: Franchise fee recvd for
second quarter 1997.

TRANSPORTATION AND PUBLIC WORKS (See Rep):

MINNEAPOLIS DOWNTOWN COUNCIL
(263030)

Nicollet Mall Advisory Bd: Appoint John
Kelly, Ryan Cos, to fill unexpired term of Kris
Brandt, Jacobs Realty II.

PUBLIC WORKS AND ENGINEERING
(263031)

Reconveyance of Tax Forfeited Land (1551 &
1599 E 43rd St): Execute necessary documents to
reconvey parcels of land back to State of MN;
Request Henn Cty Tax Forfeited Land Unit to sell

props at private auction only to adjacent prop owners.

E 50th St Construction Proj (I-35W East Bridge approach to E Minnehaha Pkwy): Hold harmless State of MN in granting variance to allow design speed less than 30 mph.

Highway Turnback (I-94 from approx Chestnut Av to 22nd Av N): Accept Quit Claim Deed from Comsnr of Transportation.

Temporary Diversion of 1st Avenue South Traffic onto Nicollet at Cecil Newman Dr: Apprv partial diversion; w/comments - Nicollet Village Business Assoc; Bill & Patie Schoberg; Honeywell; and petition supporting diversion.

Alley Retaining Wall Replacement (3615 & 3619 15th Av S): Designate replacement of portion of alley retaining wall running N-S from E 36th to 37th Sts betw Bloomington & 15th Avs S; Recv cost estimate & list of benefited props; Direct City Engineer to prepare assessment; & set public hearing.

PUBLIC WORKS AND ENGINEERING (263032)

Solid Waste Collection Point Area Cleanups: Adopt & levy assessments for unpaid charges; w/objections.

Traffic Signal Control System Modification (Excelsior Blvd & France Av S): Apprv plans for Henn Cty Proj No 8833.

Encroachments (University of St Thomas/West Metro Education Proj): Grant permits for excavation, retention system & construction of parking facility & school proj.

1997 Non-Residential Paving Program (4th St S from 4th to 5th Avs S): Designate locations, streets & improvements; Etab 1997 Non-Residential Uniform Assessment Rate; Recv cost estimate & list of benefited props; Direct City Engineer to prepare assessment; and set public hearing.

SOLID WASTE AND RECYCLING DIVISION (263033)

South Transfer Station: Execute contract w/Hennepin Transfer Inc for operation, maintenance & transportation of waste.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET

(See Rep):

PUBLIC WORKS AND ENGINEERING (263034)

Greyhound/Jefferson Terminal Site: Conceptual apprvl of facility design at existing site adjacent to TAD 7 Garage; Direct staff to finalize

negotiations for acquisition of site; develop necessary funding program for construction of ramp & terminal; finalize lease agrmts w/Greyhound/Jefferson Lines; pursue identifying grants for development.

Phillips Transit Circulator: Support demonstration proj to transport people in Phillips Neighborhood to Minnehaha Mall area; Approp funds for City's share of costs.

PUBLIC WORKS AND ENGINEERING (263035)

U.S. Courthouse Pedestrian System Improvement Proj: Apprv Change Orders for City Hall Tunnel, & part of pedestrian facilities serving new parking ramp & courthouse; Incr contract w/Cy-Con, Inc.

Renovation of Loring Park: Approp funds for relocation of traffic signal facilities.

Traffic Management Plan in Northeast Park Neighborhood: Implement traffic calming measures (traffic circles & speed humps) on Fillmore St NE betw Broadway St NE & 18th Av NE & 14th Av NE betw Johnson St NE & Fillmore St NE; Approp funds.

Reconstruction of Intersection in Prospect Park/East River Road Neighborhood (Franklin Av SE-E River Pkwy-27th Av SE): Apprv reconstruction to improve conditions for pedestrians & bicyclists & simplifying vehicular traffic movements; Approp funds.

E 50th St Construction Proj (I-35W East Bridge approach to E Minnehaha Pkwy): Amend adopted five-yr capital program to construct Phase II in 1997; Approp funds; Declare City's intent to reimburse temporary funding source.

PURCHASING (263036)

Bids: Accept OP #4554, low bid mtg specs of Ess Bros & Sons for castings; OP #4652, low bid of Madsen Johnson Corp for simultaneous air/water back wash system; OP #4673, low bid mtg specs of A. J. Spanjers Co for caulking work at Loring Ramp; OP #4665, low bid of Meridian Aggregate Corp for fine aggregate; OP #4667, low bid mtg specs of Lino Lakes Landscaping for turf establishment; OP #4674, only bid of General Safety Equipment for three fire truck pumper/hose bodies.

WATER DEPARTMENT (263037)

Fridley Softening Plant: Issue RFP for engineering services to replace existing heating, ventilating & air conditioning system.

WAYS AND MEANS BUDGET:

COMMUNITY DEVELOPMENT AGENCY,
MINNEAPOLIS (MCDA) (263043)

Phillips Pk: Summary table of proj fiscal
impact to Common Proj.

HEALTH AND FAMILY SUPPORT
SERVICES (263038)

Dept Mission Statement: Draft
HUMAN RESOURCES (263039)
Affirmative Action Rep: Second Quarter 1
997.

INFORMATION & TECHNOLOGY
SERVICES (263040)

Strategic Info Systems Proj (SISP) & Proj
Evaluation & Prioritization Process: Update.

PURCHASING (263041)
Staff Purchasing Letters.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (263042)

Settlements: Claims of Alyson Anderson and
Ray & Lillie Robinson.

COORDINATOR (263044)

Employee Group Life Insurance: Accept
proposal of ReliaStar for three year term.

FINANCE DEPARTMENT (263045)

Utility Bill Insert: Auth include Park Bd insert
re Fall lawn care in Sept 1997 billings.

MAYOR (263046)

1997 Mid-Year Budget Review: Budget Status
Rep, recommended budgetary directions and
appropriation changes.

NEIGHBORHOOD SERVICES
DEPARTMENT (263047)

Demonstration Employment Proj: Auth issue
fund avail notice to Loring Nicollet Bethlehem
Community Ctr for servs to residents of Harriet
Tubman Ctr.

Rental Assistance for Family Stabilization
Prog: Extend agrmt w/MN Hsg Finance Agency
to continue prog.

Employment Assistance to Residents of Pub
Hsg: Recv grant from TCF Foundation.

ZONING AND PLANNING (See Rep):

CITY CLERK/SPECIAL PERMITS (263048)
6th St S, 16 (Lyon's Pub) sign; 12th Av, vic
of 5 corners (Metrodome Texaco) sign; Oak St SE,
304 (Lee Engler) Operate a Taco Bell.

INSPECTIONS/BOARD OF ADJUSTMENT
(263049)

Exceptions Filed: Sharon Jacobson: Garage

ht, 4558 Emerson Av N; Becky Thorson:
Variation, 3321-47th Av S.

MOTIONS (See Rep):

CITY CLERK/SPECIAL PERMITS (263050)
50th St W, 3604 (M J Monahan) construction
of fence, paving, landscaping, driveway, parking
area.

FILED:

CITY CLERK/SPECIAL PERMITS (263051)
22nd St E, 1513 (Central Community Housing
Trust) waive full basement requirement; 40th St E,
301 (Southside Neighborhood Housing Services)
move house; 44th Av S, 5517 (Tina M Alken)
move garage; Block E (Mpls Downtown Council)
fundraiser; James Av N, 1801 (Pillsbury
Neighborhood Services) pony rides; James Av N,
1801 (Patricia McDonald) pony rides; Nicollet Av
(Lindell Classic Carriage) horse & carriage;
Nicollet Av betw Franklin Av & 15th St (Tom
Berthiaume) band concert & celebration; Nicollet
Island (CCP/SAFE) petting zoo.

GOLDETSKY, STEVEN M & HERDER,
PAMELA RAE (263052)

Permsn to vacate alley situated on 4332 Abbott
Av S.

**REPORTS OF
STANDING COMMITTEES**

The **CLAIMS** Committee submitted the
following report:

CLAIMS – Your Committee recommends that
the claims filed against the City by the following
individuals be settled as follows:

690-150 David Boyd, \$110; Maria Frias,
\$2,539.37; Maria Murzyn, \$3,417.41; E.
E. Schenck Company, \$3,264.37; Bradford
Edblom, \$70.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Rainville.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT**
Committee submitted the following reports:

Comm Dev – Your Committee, having under
consideration the draft FY96 Consolidated Plan
Annual Performance and Evaluation Report

representing the status of the Housing & Urban Development (HUD) programs funded through the Consolidated Plan, i.e., Community Development Block Grant, HOME, Emergency Shelter Grant, and Housing Opportunities for Persons With AIDS, as set forth in Petn No 263015, now recommends approval of the draft Report and further recommends that staff be directed to prepare a final Report for submission to HUD no later than August 29, 1997.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee recommends that the proper City officers be authorized to execute a contract between the City and Norman A. Andersen, artist, for the production of the Southeast Como Neighborhood Gateway Project in Van Cleve Park, in the amount of \$50,000, payable from Capital Improvements-Non Departmental (410-970-9707). (Petn No 263014)

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee recommends that the proper City officers be authorized to execute a lease agreement between the Hennepin County Regional Railroad Authority, as lessor, and the City, as lessee, for the site of the Columbia Park Neighborhood Gateway Project, for a term of 60 months, beginning September 1, 1997, in the amount of \$1. (Petn No 263014)

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev – Your Committee, having under consideration Phase IX of the Minnesota Housing Finance Agency (MHFA) Rehabilitation Loan Program, now recommends that the concept of administrative participation in this program by the Minneapolis Community Development Agency (MCDA) and the Northside and Southside

Neighborhood Housing Services (NHS) organizations be approved. (Petn No 263013)

Your Committee further recommends passage of the three accompanying resolutions authorizing the MCDA, Northside NHS and Southside NHS to administer MHFA funds for various City housing rehabilitation loans.

Your Committee further recommends summary publication of the above-described resolutions.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-239, entitled “Authorizing the Minneapolis Community Development Agency to administer Minnesota Housing Finance Agency Rehabilitation Loan Program funds”; Resolution 97R-240, entitled “Authorizing the Northside Neighborhood Housing Services to administer Minnesota Housing Finance Agency Rehabilitation Loan Program funds”; and Resolution 97R-241, entitled “Authorizing the Southside Neighborhood Housing Services to administer Minnesota Housing Finance Agency Rehabilitation Loan Program funds,” were passed August 22, 1997 by the City Council and approved August 28, 1997 by the Mayor. Complete copies of these resolutions are available for public inspection in the Office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-239

By Niland

Authorizing the Minneapolis Community Development Agency to administer Minnesota Housing Finance Agency Rehabilitation Loan Program funds.

Whereas, the Minnesota Housing Finance Agency, State of Minnesota, has been authorized to undertake a program to provide loans to property owners for the purpose of housing rehabilitation; and

Whereas, Minneapolis Community Development Agency has developed an application as an Administering Entity for the Minnesota Housing Finance Agency Rehabilitation Loan Programs; and

Whereas, the Minneapolis Community Development Agency has demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency Rehabilitation Loan Programs;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Minneapolis Community Development Agency is hereby authorized as an entity to be charged with the administration of funds made available through the Minnesota Housing Finance Agency Rehabilitation Loan Programs for Deferred Loans, Revolving Loans, and Accessibility Loans in the City of Minneapolis.

Adopted. Yeas, 12; Nays, none.

Absent - Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-240
By Niland

Authorizing Northside Neighborhood Housing Services to administer Minnesota Housing Finance Agency Rehabilitation Loan Program funds.

Whereas, the Minnesota Housing Finance Agency, State of Minnesota, has been authorized to undertake a program to provide loans to property owners for the purpose of housing rehabilitation; and

Whereas, Northside Neighborhood Housing Services has developed an application as an Administering Entity for the Minnesota Housing Finance Agency Rehabilitation Loan Programs; and

Whereas, Northside Neighborhood Housing Services has demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency Rehabilitation Loan Programs;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Northside Neighborhood Housing Services is hereby authorized as an entity to be charged with the administration of funds made available through the Minnesota Housing Finance

Agency Rehabilitation Loan Programs for Deferred Loans, Revolving Loans, and Accessibility Loans in the City of Minneapolis.

Adopted. Yeas, 12; Nays, none.

Absent -Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-241
By Niland

Authorizing Southside Neighborhood Housing Services to administer Minnesota Housing Finance Agency Rehabilitation Loan Program funds.

Whereas, the Minnesota Housing Finance Agency, State of Minnesota, has been authorized to undertake a program to provide loans to property owners for the purpose of housing rehabilitation; and

Whereas, Southside Neighborhood Housing Services has developed an application as an Administering Entity for the Minnesota Housing Finance Agency Rehabilitation Loan Programs; and

Whereas, Southside Neighborhood Housing Services has demonstrated the ability to perform the required activities of the Minnesota Housing Finance Agency Rehabilitation Loan Programs;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That Southside Neighborhood Housing Services is hereby authorized as an entity to be charged with the administration of funds made available through the Minnesota Housing Finance Agency Rehabilitation Loan Programs for Deferred Loans, Revolving Loans, and Accessibility Loans in the City of Minneapolis.

Adopted. Yeas, 12; Nays, none.

Absent -Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **COMMUNITY DEVELOPMENT** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

Comm Dev & W&M/Budget – Your Committee, having under consideration Modification No 6 to the Cedar-Riverside Urban Renewal Plan and Modification No 50 to the Common Development and Redevelopment Plan and Common Tax Increment Finance Plan, both relating to Riverside Plaza supplemental land acquisition, both dated June 13, 1997, and set forth in Petn No 263016, and having conducted a public hearing thereon, now recommends passage of the accompanying resolution adopting said Modifications.

Your Committee further recommends that this action be referred to the Board of Commissioners of the Minneapolis Community Development Agency.

RESOLUTION 97R-242
By Niland and Campbell

Adopting Modification No 50 to the Common Development and Redevelopment Plan and Modification No 6 to Cedar-Riverside Urban Renewal Plan.

Be It Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals.

1.1. Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended (the “Agency Laws”) the Housing and Redevelopment Authority in and for the City of Minneapolis has been reorganized, granted additional powers, and designated the Minneapolis Community Development Agency (the “Agency”) with the authority to propose and implement city development districts, redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179 as amended; and Laws of Minnesota 1971, Chapter 677 (the “Project Laws”).

1.2. By Resolution duly adopted on June 6, 1968, and subsequent resolutions, the City approved the creation of the Cedar-Riverside Urban Renewal Plan. By Resolution duly adopted on December 30, 1971, tax increment financing was adopted as a method of financing for the project.

1.3. By Resolution No 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City Council of the City approved the creation by the Agency of the Common Development and Redevelopment Project (the “Common Project Area”) and the adoption of the Common Development and Redevelopment Plan and the Common Tax Increment Finance Plan (the “Common Plan”) relating thereto, all pursuant to the Agency Laws and the Project Laws. The Cedar-Riverside Urban Renewal Plan is included within the Common Project Area.

1.4. It has been proposed that the Agency modify the Common Plans and the Cedar-Riverside Urban Renewal Plan to reflect the identification of additional property that may be acquired, changes in land use, and increased project costs, all pursuant to and in accordance with Minnesota Statutes, Sections 469.001 through 469.047, and 469.174 through 469.179, as amended.

1.5. The Agency has caused to be prepared, and this Council has investigated the facts with respect thereto, a proposed Modification No 50 to the Common Plans and Modification No 6 to the Cedar-Riverside Urban Renewal Plan (the “Modifications”). These plans describe more precisely the property that may be acquired and the project activities and costs to be undertaken within the Common Project Area and the Cedar-Riverside Urban Renewal Project Area.

1.6. The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Modifications including, but not limited to, a review of the proposed Modifications by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Modifications at least thirty days prior to a public hearing of the proposed Modifications to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing upon published and mailed notice as required by law.

Section 2. Findings for the Adoption of the Modifications.

2.1. The Council hereby determines that it is necessary and in the best interest of the City at this time to approve the Modifications to reflect the identification of property that may be acquired and the specification of the project costs to be undertaken within the Common Project Area and the Cedar-Riverside Urban Renewal Project Area.

2.2. The Council further finds, determines, and declares that the Modifications conform to the general plan for the development of the City as a whole. Written comments of the Planning Commission with respect to the Modifications were issued on July 9, 1997.

2.3. The Council further finds, determines, and declares that the Modifications authorize public redevelopment activities that will preserve essential access to the Riverside Plaza housing project for fire and public safety purposes and secure necessary tenant ingress, egress and parking.

2.4. The Council further finds, determines and declares that the actions authorized by these Modifications are all pursuant to and in accordance with the Project Laws.

2.5. The Council further reconfirms and redeclares that the Cedar-Riverside Urban Renewal Project is a tax increment financing district established prior to the Tax Increment Financing Act of 1979. The boundaries of the District are not being altered and no additional land or other property is being added to the District.

2.6. The Council further finds, determines and declares that the proposed development or redevelopment would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future.

2.7. The Council further finds, determines and declares that the Plan Modifications conform to the general plan for the development or redevelopment of the municipality as a whole.

2.8. The Council further finds, determines and declares that the Plan Modifications will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the development or redevelopment of the project by private enterprise.

2.9. The Council hereby finds, determines, and declares that: (i) the public notice required by Minnesota Statutes, Section 469.175, subd. 3, was published in a newspaper of general circulation in the City at least ten days but not more than thirty days prior to the date of the public hearing required by Minnesota Statutes, Section 469.175, subd. 3; (ii) the public hearing required by Minnesota Statutes, Section 469.175, subd. 3, was held on the date and at the place set forth in the public notice; and (iii) all procedural requirements imposed by applicable statute, ordinance, resolution, or policy with respect to the Modifications have been complied with by the Agency and the City.

Section 3. Approval of the Modifications.

3.1. Based upon the findings set forth in Section 2 hereof, the Modifications presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Modifications.

4.1 The consultants, counsel, officers and staff of the City and the Agency are authorized and directed to proceed with the implementation of the Modifications and for this purpose to negotiate, draft, prepare, and present to this Council for its consideration, as appropriate, all further plans, resolutions, documents and contracts necessary for this purpose.

4.2. The staff of the City and the Agency are hereby directed to incorporate the Modifications into the Common Plans. The staff of the City and the Agency are hereby authorized and directed to file a copy of the Modifications (together with any necessary or appropriate additional documents or information) with the Department of Revenue of the State of Minnesota.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Kingfield Neighborhood NRP First Step Plan (the Plan) as set forth in Petn No 263018, now recommends:

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$350,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said Plan; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.
Attest: M. Keefe, City Clerk.

**RESOLUTION 97R-243
By Niland and Campbell**

**Amending The 1997 Minneapolis
Community Development Agency Appropriation
Resolution.**

Resolved by The City Council of The City of
Minneapolis:

That the above-entitled resolution, as a
mended, be further amended by increasing Fund
CNR-NRP Program by \$350,000 from projected
fund balance.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes,
President of Council.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your
Committee, having under consideration the action
of the Neighborhood Revitalization Program (NRP)
Policy Board approving the Hawthorne
Neighborhood NRP First Step Plan (the Plan) as set
forth in Petn No 263018, now recommends:

1. That said Plan, and specifically those parts
of the Plan which fall under City jurisdiction, be
approved;

2. Passage of the accompanying resolution
increasing the NRP Program Fund (CNR) by
\$450,000;

3. That the proper City officers be authorized
to execute any agreements needed to implement
activities set forth in said Plan; and

4. That this action be transmitted to the Board
of Commissioners of the Minneapolis Community
Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

**RESOLUTION 97R-244
By Niland and Campbell**

**Amending The 1997 Minneapolis
Community Development Agency Appropriation
Resolution.**

Resolved by The City Council of The City of
Minneapolis:

That the above-entitled resolution, as
amended, be further amended by increasing Fund
CNR-NRP Program by \$450,000 from projected
fund balance.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes,
President of Council.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your
Committee, having under consideration the action
of the Neighborhood Revitalization Program (NRP)
Policy Board approving the Windom Park
Neighborhood's request for early access to NRP
funds in the amount of \$665,000 to contribute to
the Central Avenue Redevelopment Plan and to
support and improve other commercial areas in the
Windom Park Neighborhood, as set forth in Petn
No 263018, now recommends:

1. That said early access request, and
specifically those parts of the request which fall
under City jurisdiction, be approved;

2. Passage of the accompanying resolution
increasing the NRP Program Fund (CNR) by
\$665,000;

3. That the proper City officers be authorized
to execute any agreements needed to implement
activities set forth in said request; and

4. That this action be transmitted to the Board
of Commissioners of the Minneapolis Community
Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-245

By Niland and Campbell

Amending The 1997 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$665,000 from projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the East Isles Neighborhood's request for early access to NRP funds in the amount of \$150,000 for a program to rehabilitate older homes and promote historic renovation, as set forth in Petn No 263018, now recommends:

1. That said early access request, and specifically those parts of the request which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$150,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-246

By Niland and Campbell

Amending The 1997 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$150,000 from projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving two requests by the Lowry Hills East Neighborhood for early access to NRP funds, one in the amount of \$210,000 to secure external grants tentatively committed to Intermedia Arts and to meet the renovation schedules for the Jungle Theatre and pArts Gallery, and the other in the amount of \$80,000 for site improvements to the Jefferson School playground, all as set forth in Petn No 263018, now recommends:

1. That said early access requests, and specifically those parts of the requests which fall under City jurisdiction, be approved;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$290,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said request; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-247

By Niland and Campbell

Amending The 1997 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$290,000 from projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the Harrison Neighborhood Action Plan (the Plan), with NRP expenditures not to exceed \$2,937,686, as set forth in Petn No 263018, and also approving the use of Hennepin County “second 7.5 %” NRP funds in the amount of \$55,000 for a Community Services Coordinator, now recommends:

1. That said Plan, and specifically those parts of the Plan which fall under City jurisdiction, be approved;

2. That the use of \$55,000 of Hennepin County “second 7.5 %” NRP funds in said Plan be approved.

3. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$58,000;

4. That the Minneapolis Community Development Agency (MCDA) staff be directed to establish dedicated reserve funds for the Plan within Fund (CNR) and to assign \$2,034,686 to such reserve fund for future year expenditures on the approved Plan;

5. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in the Plan; and

6. That this action be transmitted to the Board of Commissioners of the MCDA.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-248

By Niland and Campbell

Amending The 1997 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$58,000 from projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Comm Dev & W&M/Budget – Your Committee, having under consideration the action of the Neighborhood Revitalization Program (NRP) Policy Board approving the use of \$100,000 of Hennepin County “second 7.5 %” NRP funds to support implementation plans and start up costs for the Washburn and Roosevelt Redesign hub sites, as set forth in (Petn No 263017), now recommends:

1. Approval of the use of Hennepin County’s “second 7.5 %” NRP funds for said purpose;

2. Passage of the accompanying resolution increasing the NRP Program Fund (CNR) by \$100,000;

3. That the proper City officers be authorized to execute any agreements needed to implement activities set forth in said Plan; and

4. That this action be transmitted to the Board of Commissioners of the Minneapolis Community Development Agency.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-249

By Niland and Campbell

Amending The 1997 Minneapolis Community Development Agency Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing Fund CNR-NRP Program by \$100,000 from projected fund balance.

Adopted. Yeas, 12; Nays, none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **PUBLIC SAFETY & REGULATORY SERVICES** Committee submitted the following reports:

PS&RS Your Committee, having under consideration the application of Anaconda Mining and Railway, Inc, dba Mighty Fine Cafe, 1302-04 University Av NE, new business, for an On-Sale Wine Class D with Strong Beer License, to expire April 1, 1998, and having held a public hearing thereon, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 12; Nays none.

Absent Herron.

Passed August 22, 1997.

Approved August 22, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Published August 26, 1997).

PS&RS – Your Committee recommends granting the following applications for liquor, wine and beer licenses:

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 1998

Old Chicago of Colorado, Inc, dba Old Chicago, 508 1st Av N, expansion of premises for sidewalk cafe;

On-Sale Liquor Class B with Sunday Sales, to expire April 1, 1998

T J Management of Minneapolis, dba Gabby's Saloon & Eatery, 1900 Marshall St, temporary expansion of premises and temporary outdoor entertainment, 8/16/97, 2PM-11:30PM;

On-Sale Liquor Class D

Convertible Tommy's Ltd, dba Convertible Tommy's, 1032 3rd Av NE, temporary expansion of premises and temporary outdoor entertainment, 8/9/97, 5-10PM;

On-Sale Liquor Class E with Sunday Sales, to expire April 1, 1998

Joe's Garage, Inc, dba Joe's Garage, 1610 Harmon Pl, internal transfer of shares;

Temporary On-Sale Liquor

Metropolitan Boys Choir, P. O. Box 19348, temporary entertainment for Mill City Music Festival, 1st Av between 3rd & 6th Sts, Licensed Facilitator: Gay 90's, 8/30/97-9/1/97, 11AM-10:30PM;

On-Sale Wine Class E with Strong Beer, to expire April 1, 1998

Friends of the Revolution, Inc, dba Auriga, 1934 Hennepin Av, new ownership;

Off-Sale Beer, to expire April 1, 1998

T & R Foods, Inc, dba Tom Thumb, 3319 E 54th St, new proprietor;

Temporary On-Sale Beer

Annunciation Church, dba Septemberfest, 509 W 54th St, 9/6/97-9/7/97, Noon-10PM;

Church of St. Anne, 2627 Queen AV N, 8/16/97, 5:30-9PM & 8/17/97, 11:30AM-5PM;

Minneapolis Riverfront Arts/Events Committee, dba European Oktoberfest, 219 Main St SE, #304, at riverfront under 3rd Av bridge, 9/20/97, Noon-10PM and 9/21/97, Noon-6PM;

Church of St. Helena, dba Autumn Daze Parish Festival, 3204 E 43rd St, 9/12/97-9/14/97;

Church of the Holy Cross, dba Fall Festival, 1621 University NE, 9/20/97-9/21/97;

Kaminski Family Foundation, 210 N 2nd St, 8/30-9/1/97, Noon-10:30PM; and

Downtown Council, dba Minneapolis Mounted Patrol, 81 S 9th St, Suite 260, fundraiser for Mounted Patrol, Block E Downtown, 8/23/97, 3-9PM.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for business licenses as per list on file and of record in the Office of the City Clerk under date of August 22, 1997, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 263023):

Building Contractor Class A; Building Contractor Class B; Car Wash; Carnival; Contractor/Masonry Class A; Laundry; Fire Extinguisher Class A; Grocery; Food

Manufacturer; Restaurant; Short-Term Food Permit; Seasonal Short-Term Food Establishment; Sidewalk Cafe Permit; Fuel Dealer; Gasoline Filling Station; Motor Vehicle Dealer-Motorcycles; Motor Vehicle Dealer-New and Used; Motor Vehicle Dealer-Used Only; Motor Vehicle Dealer-Additional Lots; Second-Hand Goods Dealer; Taxicab Vehicle; and Tobacco Dealers.

Rainville moved to divide the report so as to consider separately that portion relating to Item No 696 of Petition No 263023, the application of Tewelde H. Woldemichael, dba Yellow Taxi Company, 500 E 36th St, for a Taxicab Vehicle License and Person to Person transfer from Cabs by Jav, Inc, Cab #35, and to further divide the report so as to consider separately that portion relating to Addendum Item No 109 of Petition No 263023, the application of Morrell, Inc, dba Yellow Taxi Company, 500 E 36th St, for a Taxicab Vehicle License and Person to Person transfer from Cabs by Jav, Inc, Cab #1. Seconded.

Adopted upon a voice vote.

Rainville moved adoption of the balance of the report.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the following applications for Taxicab Vehicle Licenses and Person-to-Person transfers, now recommends that said licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances:

a) Application of Tewelde H. Woldemichael, dba Yellow Taxi Company, 500 E 36th St, for a Taxicab Vehicle License and Person to Person transfer from Cabs by Jav, Inc, Cab #35; and

b) Application of Morrell, Inc, dba Yellow Taxi Company, 500 E 36th St, for a Taxicab Vehicle License and Person to Person transfer from Cabs by Jav, Inc, Cab #1.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the following applications for gambling licenses, subject to final inspection and compliance with all provisions of the applicable codes and ordinances:

Gambling-Lawful Class B

Washburn Amateur Hockey Association, 4805 Pleasant Av, site: 5-8 Club, 5800 Cedar Av;

Multiple Sclerosis Society, 2344 Nicollet Av, site: Rainbow-Country, 1928 N 2nd St; Multiple Sclerosis Society of Minneapolis, 2344 Nicollet Av, #280, site: Stasius, 2500 University NE;

Gambling Lawful Exempt

St. John Byzantine Catholic Church, 2215 NE 3rd St, for bingo, raffle, pulltabs, paddlewheels, 10/19/97;

Ducks Unlimited-Northeast Chapter 202, 2414 Central Av NE, for raffle at Jax Cafe, 1928 University Av, 9/11/97; and

Minneapolis Institute of Arts, 2400 3rd Av S, raffle, 10/16/97, International Market Square, 275 Market St.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the application of Audubon Coffee, Inc, dba Audubon Coffee, 2854 Johnson St, new business, for a Sidewalk Cafe Permit, now recommends that said permit be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the On-Sale Liquor Class A with Sunday Sales License held by Tanglewood Associates, Inc, dba Reilly's on Sixth, 23 N 6th St, and having received notification from the Minnesota Department of Revenue that said license must be revoked due to an outstanding tax liability, now recommends revocation of said license and immediate discontinuation of business until the delinquency has been resolved and a tax clearance

certificate has been obtained from the State.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the Motor Vehicle Repair Garage License held by Thomas Reuben, dba Dunrite Automotive Services, 3322 W 44th St, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing thereon, now recommends adoption of the TAC recommendations, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the Motor Vehicle Dealer Used Only License held by Central Wholesale Auto, Inc, 2801 Central Av NE, and having received Findings of Fact, Conclusions and Recommendations arising from a Technical Advisory Committee (TAC) hearing thereon, now recommends adoption of the TAC recommendations, as more fully set forth in said Findings which are on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends that the proper City officers be authorized to execute Amendment #3 to Contract #10041 with the Metropolitan Visiting Nurses Association (MVNA), extending the contract to provide community nursing and home health services through December 31, 1997, in an amount not to exceed \$437,284, for a new contract total of \$3,212,749 for 1996 and 1997, payable from

Federal Grants Fund – Health Department Agency
– Contracts Management (030-440-4413).

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having under consideration the following properties creating nuisance conditions within the meaning of Chapter 249 of the Minneapolis Code of Ordinances, and having determined that rehab of said properties is not feasible, now recommends that the proper City officers be authorized to raze the following properties, as more fully set forth in the Findings of Fact, Conclusions and Recommendations which are on file in the Office of the City Clerk and made a part of this report by reference:

a) 3315 Dupont Av N, Lot 10, Block 1, Silver Lake Addition; and

b) 2809-11 Harriet Av, Lot 12, Block 2,
Excelsior Addition.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee, having conducted an Evidentiary Hearing on July 31, 1997, to consider evidence relating to the Class A Building Contractor License held by Powerhouse Electric, dba Powerhouse Construction, 416 E Hennepin Av, and having received Findings of Fact, Conclusions and Recommendations arising from said Evidentiary Hearing held thereon, now recommends adoption of the Hearing Panel recommendation that the Class A Building Contractor License of Powerhouse Electric, dba Powerhouse Construction, be revoked, as more fully set forth in said Findings on file in the Office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

PS&RS – Your Committee recommends granting the application of Regency Plaza, LLC, dba Regency Plaza Hotel, 41 N 10th St, for an On-Sale Liquor Class B with Sunday Sales License to expire January 1, 1998, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Biernat moved to delete the subject matter relating to Rainbow Cafe of Minneapolis, Inc, dba Annie's Parlour Uptown from the agenda. Seconded.

Adopted upon a voice vote.

The **PUBLIC SAFETY & REGULATORY SERVICES and WAYS & MEANS/BUDGET** Committees submitted the following reports:

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with the Northwest Athletic Club to provide health club memberships for all fire suppression personnel, in accordance with current labor agreements, for the period from March 1, 1997 through October 31, 1998, at an estimated cost of \$194,000, with 1998 costs to be included in the City's budget process, payable from the General Fund – Fire Department – Fire Administration (010-280-FA49).

Your Committee further recommends that appropriation of funds for 1997, at an estimated amount of \$116,000, be considered during the Mid-Year Budget Review.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

PS&RS & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute a contract with the Minneapolis Grain Exchange, 400 S 4th St, to provide office space for the Civilian Police Review Authority, beginning September 15, 1997 and expiring September 15, 2000, for a contract total of \$92,157.71 (including base rent and operating

costs), with the understanding that said contract will include a one-year termination clause.

Biernat moved that the report be referred back to the Public Safety & Regulatory Services Committee. Seconded.

Adopted upon a voice vote.

The **TRANSPORTATION & PUBLIC WORKS** Committee submitted the following reports:

T&PW – Your Committee recommends passage of the accompanying Resolution adopting the assessments, levying the assessments and adopting the assessment roll for the unpaid charges for the cleanups of the areas around the Solid Waste Collection Points on the list of properties set forth in Petn No 263032.

Your Committee further recommends summary publication of the above-described Resolution.

Campbell moved to amend the report and Resolution as follows:

a) by amending the Petition to separate out the service address at 2524 34th Avenue South;

b) to refer the proposed assessment of \$52.50 for the service address back to the Transportation & Public Works Committee, to be included at the next scheduled public hearing on October 16, 1997; and

c) to reduce the revised assessment roll by \$52.50, from \$7,882.08 to \$7,829.58. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-250, adopting the assessments, levying the assessments and adopting the assessment roll for the unpaid charges for the cleanups of the areas around the Solid Waste Collection Points on the list of properties set forth in Petn No 263032, was passed August 22, 1997 by the City Council and approved August 28, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-250

By Dziedzic

Adopting the assessments, levying the assessments and adopting the assessment roll for the unpaid charges for the cleanups of the areas around the Solid Waste Collection Points on the list of properties set forth in Petn No 263032.

Whereas, a public hearing was held on August 14, 1997 in accordance with Sections 225.660 and 225.690 of the Minneapolis Code of Ordinances to consider the proposed assessments as shown on the proposed assessment roll on file in the Office of the City Clerk and to consider all written and oral objections and statements regarding this matter;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following proposed assessments be waived, deleted or reduced:

- a. 2730 Buchanan St (PID #12-029-24-21-0051) waive \$63.52;
- b. 3125 Elliot Av (PID 02-028-24-21-0137) waive \$52.50;
- c. 3742 Fremont Av N (PID #04-029-24-43-0053) waive \$52.50;
- d. 2701-03 Lyndale Av S (PID #34-029-24-32-0110) reduce by one-half, from \$95.28 to \$47.64;
- e. 507 Newton Av N (PID #21-029-24-32-0032) paid by owner - delete \$52.50;
- f. 4456 Portland Av (PID #10-028-24-44-0012) reduce from \$52.50 to \$25.

That the proposed assessments against the affected properties on the list dated July 23, 1997 set forth in Petn No 263032 in the total amount of \$8,178.24 and as shown on the proposed assessment roll on file in the Office of the City Clerk be and hereby is revised to \$7,829.58 and are adopted and levied as revised herein.

Be It Further Resolved that the revised assessments in the amount of \$7,829.58 be collected in one (1) installment on the 1998 real estate tax statements with interest charged at the rate of 5%.

Be It Further Resolved that the assessment roll as prepared by the City Engineer be and hereby is revised to \$7,829.58 and adopted as revised herein and that the City Clerk is hereby directed to transmit a certified copy of said revised assessment roll to the Hennepin County Auditor.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a recommendation from the Minneapolis Downtown Council regarding membership on the Nicollet Mall Advisory Board, now recommends that John Kelly, representing Ryan Companies, Inc., be appointed to fill the unexpired term of Kris Brandt, representing Jacobs Realty II Inc., to expire December 31, 1999.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution approving Hennepin County Project No 8833 for modification of the signal system at Excelsior Blvd (CSAH 3) and France Av S (CSAH 17).

RESOLUTION 97R-251

By Dziedzic

Approving Hennepin County Project No 8833 for modification of the signal system at Excelsior Blvd (CSAH 3) and France Av S (CSAH 17).

Whereas, plans for Hennepin County Project No 8833 showing proposed traffic control signal system installations at the intersection of County State Aid Highway No 3 and County State Aid Highway No 17, as a Federal Aid Project, have been prepared and presented to the City;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That said plans be approved and the City agrees to provide for the prohibition and enforcement of on-street parking on those portions of said Project No 8833 within its corporate limits.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the Public Works Department, Transportation Division, petitioner, be granted all necessary encroachment permits for the excavation, retention system and construction of the University of St. Thomas/West Metro Education Parking Facility and School Project.

Said encroachments to be as shown on the drawing, as designed by Opus Corporation, attached to Petn No 263032 on file in the Office of the City Clerk.

This permission is granted subject to all requirements and conditions in Chapter 95 of the Minneapolis Code of Ordinances and in addition to the following:

1. All work done is subject to the approval and acceptance of the Director of Public Works and the Director of Inspections and all other necessary permits must be obtained.

2. The permission granted is subject to all ordinances of the City of Minneapolis now existing or which may hereafter be passed relative to the use or maintenance of such areas under, on or above streets, alleys and public places.

3. The permit holder shall pay all costs resulting from the alteration or relocation of any and all public or private utilities made necessary in connection with the permitted encroachment and is responsible for all loss, damage or claims resulting from the installation, use or removal of the permitted encroachment.

4. Promptly after the installation or removal of the permitted encroachment, the permit holder shall properly replace and repair the right-of-way to a condition acceptable to the Director of Public Works.

Within 30 days after the approval, the applicant shall file with the City Clerk a written acceptance of the conditions stated above and the conditions in Chapter 95 of the Minneapolis Code of Ordinances. Failure to file such acceptance within the time specified shall render the permission granted null and void.

(Vic 10th St, Hennepin Av, LaSalle Av and the alley) (63695)

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution designating the location and streets to be improved in the 1997 Non-Residential Paving Program, Special Improvement of Existing Street No 2967.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-252, designating the improvement of certain existing streets at locations described in Resolution 97R-252 for the 1997 Non-Residential Paving Program, Special Improvement of Existing Street No 2967 (4th St S), was passed August 22, 1997 by the City Council and approved August 28, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-252

By Dziedzic

1997 NON-RESIDENTIAL PAVING PROGRAM

SPECIAL IMPROVEMENT OF EXISTING STREET NO 2967 (4TH ST S)

Designating the improvement of certain existing streets at the paving location described hereinafter.

Resolved by The City Council of The City of Minneapolis:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by street paving with plant mix asphalt with concrete curb and gutter all on a stabilized base and including other street paving related improvements as needed:

4th St S (2967)

4th St S from 4th to 5th Avs S.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed August 22, 1997. J. Cherryhomes,
President of Council.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution establishing a uniform assessment rate for non-residential paving improvements for the 1997 calendar year.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-253, establishing a uniform assessment rate for non-residential paving improvements for the 1997 calendar year, was passed August 22, 1997 by the City Council and approved August 28, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-253
By Dziedzic

Establishing a uniform assessment rate for non-residential paving improvements for the 1997 calendar year.

Whereas, the City Council adopted a policy on October 31, 1980 establishing yearly uniform assessment rates for similar improvements at various locations; and

Whereas, the City Council adopted a policy on August 12, 1994 establishing the assessment rate calculation procedure for the Non-Residential Paving Program; and

Whereas, the City Council on March 29, 1996 revisited and revised the aforementioned August 12, 1994 policy by adopting Ceiling and Floor Limits relating to inflation and deflation to establish the assessment rate for the Non-Residential Paving Program;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following rate is hereby established as the 1997 non-residential uniform assessment rate and is to be applied in determining the assessments for the benefited parcels for certain types of work ordered by the City Council in the 1997 calendar year:

Non-Residential Paving (street paving, curb and gutter and other street paving related improvements) - \$0.91/sq ft applied to the land area of benefited parcels located within the street influence zone along the improved street.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed August 22, 1997. J. Cherryhomes,
President of Council.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a cost estimate of \$193,000 for non-residential paving improvements and a list of benefited properties for the 1997 Non-Residential Paving Program, Special Improvement of Existing Street No 2967 (4th St S), as designated by Resolution 97R-252 passed August 22, 1997, now recommends that the City Engineer be directed to prepare a proposed 1997 Non-Residential Paving Special Improvement Assessment against the list of benefited properties by applying the 1997 Non-Residential Uniform Assessment Rate as per Resolution 97R-253 passed August 22, 1997.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on September 18, 1997, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated paving program and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee recommends passage of the accompanying Resolution holding harmless the State of Minnesota from actions that may arise from granting a variance to permit reconstruction of E 50th St from the E approach of I-35W bridge to E Minnehaha Pkwy with a design speed less than 50 kph (30 mph) as required by State-Aid Rules.

RESOLUTION 97R-254

By Dziedzic

Holding harmless the State of Minnesota from actions that may arise from the reconstruction of MSA 264 (E 50th St) from E approach of I-35W Bridge to E Minnehaha Pkwy at less than Municipal State-Aid Standards.

Whereas, the City Engineer has requested a variance from Minnesota Rules, Chapter 8820.9936 for the reconstruction of E 50th St from the east approach of I-35W bridge to E Minnehaha Parkway in accordance with Resolution 97R-132 adopted by the Minneapolis City Council on May 23, 1997; and

Whereas, the Commissioner of Transportation did grant said variance with the condition that the City adopt a Resolution concerning legal responsibilities as a result of this granting of said variance at the City Councils request;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That it indemnifies, saves and holds harmless the State of Minnesota and all its agents and employees of and from any and all claims, demands, actions, or causes of actions of any nature or character arising out of or by reason of, in any manner the reconstruction of MSA 264 (E 50th St) between the east approach of I-35W bridge to E Minnehaha Pkwy in any other manner than as in accordance with Minnesota Rule 8820.9936 and further agrees to defend at their sole cost and expense any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising as a result of the granting of this variance.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 22, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk

(Published August 26, 1997).

T&PW - Your Committee recommends that the proper City Officers be authorized to execute the necessary documents to reconvey the following parcels of tax forfeited land back to the State of Minnesota:

All that part of Herrick, Hamlin and Eatons Out Lots to Minneapolis described as follows:

That part of Lot 10 lying S of E 43rd St and between the E and W lines of Lot 24, Blk 2, Starings Bloomington Terrace, an addition to Minneapolis, Minnesota, extended.

(1551 E 43rd St, PID #11-028-24-41-0015)

That part of Lot 10 lying S of E 43rd St and between the E and W lines of Lot 1, Blk 2, Starings Bloomington Terrace, an addition to Minneapolis, Minnesota, extended.

(1599 E 43rd St, PID #11-028-24-41-0014)

Your Committee further recommends that the Hennepin County Tax Forfeited Land Unit be requested to sell these properties at private auction only to the adjacent property owners.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW - Your Committee, having under consideration parcels of land adjacent to Trunk Highway 94 from approximately Chestnut Av to 22nd Av N, now recommends passage of the accompanying Resolution accepting the Quit Claim Deed from the Commissioner of Transportation of the State of Minnesota, conveying all its interests in and to certain real estate situated in the City of Minneapolis, County of Hennepin, State of Minnesota.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-255, accepting a Quit Claim Deed from the Commissioner of Transportation of the State of Minnesota, conveying all its interests in and to certain parcels of land adjacent to Trunk Highway 94, from approximately Chestnut Avenue to 22nd Avenue North in the City of Minneapolis;

said deed conveys several frontage roads, as well as some smaller residue parcels, was passed August 22, 1997 by the City Council and approved August 28, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-255

By Dziedzic

Authorizing the acceptance of a Quit Claim Deed from the Commissioner of Transportation of the State of Minnesota conveying all its interests in and to certain real estate situated in the City of Minneapolis, County of Hennepin, State of Minnesota.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City accepts a Quit Claim Deed from the Commissioner of Transportation of the State of Minnesota conveying all its interests in and to the following described real estate situated adjacent to Trunk Highway 94 in the City of Minneapolis, County of Hennepin, State of Minnesota:

**DESCRIPTION FOR THE TURNBACK OF PART OF
TRUNK HIGHWAY NO. 392 RENUMBERED 94
TO THE CITY OF MINNEAPOLIS**

Part of Parcels 4. 5. 64 and 264 S.P. 2781 (94=392) 919

All of Tract A described below:

Tract A. That part of Lots 10 and 11, Block 27, Wilson, Bell & Wagner's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, which lies southerly of the following described line: Beginning at the southeast corner of said Lot 11; thence run northwesterly to a point on the west line of said Lot 11, distant 130 feet southerly of the northwest corner thereof; thence run northwesterly to a point on the west line of said Lot 10, distant 95 feet southerly of the northwest corner thereof and there terminating;

the title thereto being registered as evidenced by Certificate of Title No. 676787;

together with all that part of Tract B described below:

Tract B. Lots 6 and 7 and that part of Lots 5, 8 and 9, Block 27, Wilson, Bell & Wagner's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, which lies southerly and westerly of the following described line: Beginning at a point on the east line of said Lot 9, distant 95 feet southerly of the northeast corner thereof; thence run northwesterly to a point on the east line of said Lot 8, distant 40 feet southerly of the northeast corner thereof; thence run northwesterly to a point on the north line of said Lot 8, distant 30 feet west of the northeast corner thereof; thence run northwesterly to a point on a line run parallel with and distant 10 feet easterly of the west line of said Lot 5, distant 110 feet southerly of its intersection with the north line of said Lot 5; thence run northerly on said 10 foot parallel line to the north line of said Lot 5 and there terminating;

which lies easterly of Line 1 described below:

Line 1. Beginning at the southeast corner of said Lot 8; thence run northwesterly to a point on the east line of said Lot 7, distant 65 feet northerly of the southeast corner thereof; thence run northwesterly to a point on the north line of said Lot 7, distant 15 feet easterly of the northwest corner thereof; thence run northerly to a point on the north line of said Block 27, distant 5 feet easterly of the northwest corner thereof and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcels 64 and 264 herein conveyed to the lands adjacent thereto.

Parcel 77 S.P. 2781 (94=392) 919

That part of the following described lot:

Lot 12, Block 27, Wilson, Bell and Wagner's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

which lies southwesterly of the following described line:

Beginning at a point on the south line of said Lot 12, distant 25 feet west of the southeast corner thereof; thence run northwesterly to a point on the west line of said Lot 12, distant 140 feet south of the northwest corner thereof and there terminating.

Part of Parcel 64 S.P. 2781 (94=392) 919

That part of Tract A described below:

Tract A. That part of the Southwest Quarter of the Southwest Quarter of Section 22, Township 29, Range 24 described as commencing at a point on the south line of said Southwest Quarter of the Southwest Quarter, 33 feet east of the southwest corner of said Southwest Quarter of the Southwest Quarter; thence east along the south line of said Southwest Quarter of the Southwest Quarter, 472.6 feet to the southwest corner of Lot 19, Auditor's Subdivision No. 31, Hennepin Co. Minn.; thence North 00 degrees 08 minutes West along the west line of said Lot 19 a distance of 200 feet to the northwest corner thereof; thence east along the north line of said Lot 19, a distance of 375 feet to the west line of Lot 20, said Auditor's Subdivision No. 31, Hennepin Co. Minn.; thence North 00 degrees 08 minutes West along the west line of said Lot 20 a distance of 100 feet to the northwest corner of said Lot 20; thence east along the north line of said Lot 20 a distance of 121 feet to its intersection with the southerly extension of the west line of Addition of Lawrence & Fuller to the Town of Minneapolis, Minn.; thence North 00 degrees 08 minutes West along said west line and its southerly extension 276.05 feet; thence South 65 degrees 29 minutes West, 274.81 feet; thence South 58 degrees 12 minutes West, 843.95 feet, more or less, to the intersection with a line drawn parallel with the west line of the Southwest Quarter of the Southwest Quarter of said Section 22 and through the point of beginning; thence south along said parallel line 17.3 feet, more or less, to the point of beginning, according to the Government Survey thereof; lying southwesterly of the following described line: Beginning at the point of intersection of the north line of Chestnut Avenue with a line run parallel with and distant 60 feet east of the northerly extension of the east line of 17th Street North; thence run northerly on said 60 foot parallel line

or 125 feet; thence run northwesterly to the point of intersection of a line run parallel with and distant 150 feet north of the north line of Chestnut Avenue, with a line run parallel with and distant 325 feet east of the east line of Lyndale Avenue; thence run northerly on said 325 foot parallel line for 100 feet and there terminating; the title thereto being registered as evidenced by Certificate of Title No. 435125;

which lies easterly of Line 1 described below:

Line 1. Beginning at a point on the north line of Block 27, Wilson, Bell and Wagner's Addition, distant 5 feet easterly of the northwest corner thereof; thence run northerly to a point distant 275 feet easterly (measured at right angles) of a point on the east line of Lyndale Avenue North as located prior to January 1, 1976, distant 415 feet southerly of its intersection with the south line of Glenwood Avenue as located prior to January 1, 1976, and there terminating;

together with all right of access control, being the right of ingress to and egress from that part of Parcel 64 herein conveyed to the lands adjacent thereto, except that access shall be permitted northerly of a line run parallel with and distant 175 feet northerly of the north line of Chestnut Avenue, for the purpose of operating and maintaining a spur track under Bridge No. 27790, as shown in deed Doc. No. 922874, Files of Registrar of Titles.

Part of Parcels 264 64A and 64B S.P. 2781 (94=392) 919

That part of Tracts A, B, C, D and E described below:

Tract A. That part of the Southwest Quarter of Section 22, Township 29 North, Range 24 West, Hennepin County, Minnesota, described as follows: Commencing at a point on the west line of Lawrence and Fuller Addition, 276.05 feet north of the north line of Lot 20, Auditor's Subdivision No. 31; thence South 65 degrees 29 minutes 00 seconds West, 274.81 feet; thence South 58 degrees 12 minutes 00 seconds West, 6.25 feet to the actual point of beginning of the land to be described; thence continuing South 58 degrees 12 minutes 00 seconds West, 455.85 feet to the easterly right of way line of Interstate Highway No. 94; thence North 00 degrees 08 minutes 00 seconds West along said right of way line 38.3 feet; thence North 58 degrees 32 minutes 00 seconds East, 156.3 feet; thence northeasterly along a tangential curve to the right having a radius of 883.34 feet, a distance of 120.25 feet; thence North 66 degrees 20 minutes 00 seconds East, 161.23 feet to the point of beginning (for purposes of this description the north line of Lot 20, Auditor's Subdivision No. 31 is assumed to bear due East and West);

Tract B. The right of way of the Chicago and North Western Transportation Company, as located prior to January 1, 1976, in the Southeast Quarter of the Southeast Quarter of Section 21, Township 29 North, Range 24 West, Hennepin County, Minnesota;

Tract C. The right of way of the Chicago and North Western Transportation Company, as located prior to January 1, 1976, in the Southwest Quarter of the Southwest Quarter of Section 22, Township 29 North, Range 24 West;

Tract D. The right of way of the Burlington Northern, Inc. as located prior to January 1, 1976, in the Southeast Quarter of the Southeast Quarter of Section 21 and the Southwest Quarter of the Southwest Quarter of Section 22, both in Township 29 North, Range 24 West, Hennepin County, Minnesota;

Tract E. Auditors Subdivision No. 11, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

which lies westerly of a line run parallel with and distant 345 feet easterly of the east line of Lyndale Avenue North as located prior to January 1, 1976, and easterly of Line 1 described below:

Line 1. Beginning at a point on the north line of Block 27, Wilson, Bell and Wagner's Addition, distant 5 feet easterly of the northwest corner thereof; thence run northerly to a point distant 275 feet easterly (measured at right angles) of a point on the east line of Lyndale Avenue North as located prior to January 1, 1976, distant 415 feet southerly of its intersection with the south line of Glenwood Avenue as located prior to January 1, 1976, and there terminating;

together with that part of Tracts B, D and E which lies easterly of a line run parallel with and distant 20 feet westerly of the west line of said Lyndale Avenue North and westerly of Line 2 described below:

Line 2. Beginning at the point of intersection of the west line of said Lyndale Avenue North with the north line of Linden Avenue as located prior to January 1, 1976; thence run northeasterly to a point distant 44 feet easterly (measured at right angles) of a point on said west line, distant 90 feet northerly of its intersection with said north line of Linden Avenue; thence run northerly to a point distant 48 feet easterly (measured at right angles) of a point on said west line, distant 195 feet north of its intersection with said north line of Linden Avenue; thence run northerly to a point distant 20 feet westerly (measured at right angles) of the intersection of the east line of said Lyndale Avenue North with the south line of Glenwood Avenue as located prior to January 1, 1976, and there terminating.

Part of Parcel 66 S.P. 2781 (94=392) 919

That part of Tract A described below:

Tract A. That part of Lots 10, 15, 16 and 18, and all of Lots 11 through 14, Auditor's Subdivision No. 31, except the railroad right of way, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, described as follows: Commencing at a point on the southerly line of Western Avenue (now Glenwood Avenue), 343.17 feet southeasterly from the east line of Lyndale Avenue; thence northwesterly along Western Avenue, 86.5 feet; thence south on a line parallel with the east line of Lyndale Avenue, 126 feet; thence northwesterly parallel with Western Avenue, 104.67 feet to a point 152 feet from Lyndale Avenue; thence south on a line parallel with the east line of Lyndale Avenue, 351.67 feet to the north line of the land of the St. Paul, Minneapolis and Manitoba Railroad; thence northerly along said land, 203.9 feet; thence north parallel with the east line of Lyndale Avenue, 369.87 feet to the point of beginning;

which lies easterly of Line 1 described below:

Line 1. Beginning at a point on the north line of Block 27, Wilson, Bell and Wagner's Addition, distant 5 feet easterly of the northwest corner thereof; thence run northerly to a point distant 275 feet easterly (measured at right angles) of a point on the east line of Lyndale Avenue North as located prior to January 1, 1976, distant 415 feet southerly of its intersection with the south line of Glenwood Avenue as located prior to January 1, 1976; thence run northerly to a point on the south line of said Glenwood Avenue, distant 280 feet easterly of its intersection with the east line of said Lyndale Avenue North and there terminating.

Parcel 65 S.P. 2781 (94=392) 919

All right of access control, being the right of ingress to and egress from the following described tract, to the lands hereinbefore conveyed in Parcel 66, S.P. 2781 (94=392) 919, except that the abutting owner shall retain the right of access along the north line of said tract:

That part of Lot 18, Auditor's Subdivision No. 31, lying east of the north and south line commencing at a point on the southerly line of Western Avenue in the City of Minneapolis, 343.17 feet southeasterly from the east line of Lyndale Avenue and running south parallel with Lyndale Avenue to the northerly line of the Great Northern Railway right of way, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County.

Parcel 64C S.P. 2781 (94=392) 919

That part of Tracts A and B described below:

Tract A. Auditor's Subdivision No. 123, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

Tract B. That part of Blocks 1 and 21, Groveland Addition to Minneapolis, and of vacated Aldrich Avenue North, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, described as follows: Beginning at the southeast corner of Lot 2, said Block 1; thence north along the east line of Lots 2 and 1, said Block 1 and same extended 115 feet; thence west at right angles 49.95 feet; thence southwesterly deflecting to the left at an angle of 31 degrees 10 minutes 00 seconds a distance of 149.5 feet; thence southwesterly deflecting to the right at an angle of 01 degree 59 minutes 00 seconds a distance of 148.5 feet; thence southwesterly to a point in the south line of said Block 21, distant 252.41 feet west of the center line of vacated Aldrich Avenue North; thence east along said south line 11.68 feet; thence northeasterly along a straight line a distance of 279.46 feet, more or less, to a point in the center line of said vacated Aldrich Avenue North that is 142 feet north of the north line of Linden Avenue, as measured along the center line of said vacated Aldrich Avenue a distance of 8 feet, more or less, to an intersection of the westerly extension of the south line of Lot 10 in said Block 1 of Groveland Addition to Minneapolis; thence east along said extended line a distance of 29.2 feet to the southwest corner of said Lot 10; thence northeasterly along a straight line a distance of 143.96 feet to the northeast corner of said Lot 10, being the southwest corner of said Lot 2, Block 1, Groveland Addition; thence east along the south line of said Lot 2 a distance of 135 feet to the point of beginning;

which lies easterly of a line run parallel with and distant 5.8 feet westerly of the west line of Lyndale Avenue North;

together with that part of Tracts A and B hereinbefore described adjoining and westerly of the above described strip, which lies easterly of a line run parallel with and distant 6.8 feet westerly of the west line of said Lyndale Avenue North and northerly of a line run parallel with and distant 195 feet northerly of the north line of Linden Avenue;

also together with that part of Tract B hereinbefore described adjoining and westerly of the last above described strip, which lies easterly of a line run parallel with and distant 9.8 feet westerly of the west line of said Lyndale Avenue North and northerly of a line run parallel with and distant 285 feet northerly of the north line of said Linden Avenue.

Parcel 64E S.P.2781 (94=392) 919

That part of the east 8 feet of Tract A described below:

Tract A. That part of Block 1 lying south of Second Avenue North and north of a line running west at right angles to the east line of said Block 1 from a point in said east line, distant 122 feet north of the southeast corner of Block 2, all in McFarlane's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

which lies southerly of Line 1 described below:

Line 1. Beginning at a point on the east line of said Block 1, distant 60 feet south of its intersection with the south line of Second Avenue North; thence run westerly at right angles to said east line for 50 feet and there terminating.

Part of Parcel 3A S.P. 2781 (94=392) 920

All of Tract A described below:

Tract A. That part of Outlot 2, "Glenwood Renewal Subdivision No. 2", embraced within Lot 38, Block 2, Oaklake Addition to the City of Minneapolis and that part of the adjoining vacated alley lying northwesterly of the center line thereof and between the extensions across it of the west line of said Lot 38 and the east line of said Outlot 2;

and that part of Outlot 2, "Glenwood Renewal Subdivision No. 2", embraced within Lot 39, Block 2, Oaklake Addition to the City of Minneapolis and that part of the adjoining vacated alley lying northwesterly of the center line thereof and between the extensions of the east and west lines of said Lot 39; and That part of Outlot 1, "Glenwood Renewal Subdivision No. 2", embraced within Lot 14, Block 2, Oaklake Addition to the City of Minneapolis and that part of adjoining vacated alley lying south and southeasterly of the center line thereof and between extensions across it of the southwesterly line of said Lot 14 and the east line of said Outlot 1; and

That part of Outlot 2, "Glenwood Renewal Subdivision No. 2", embraced within Lots 14 and 15, Block 2, Oaklake Addition to the City of Minneapolis and that part of adjoining vacated alley lying south and southeasterly of the center line thereof and between extensions across it of the east line of Outlot 1, "Glenwood Renewal Subdivision No. 2" and a line drawn from a point on the southerly line of said Lot 15 equidistant from the southwesterly and southeasterly corners thereof to a point on the northerly line of said Lot 15 equidistant from the northwesterly and northeasterly corners thereof, and that part of adjoining vacated Highland Avenue lying northwesterly of the center line thereof and between extensions across it of the southwesterly line of said Lot 14 and the east line of said Outlot 2; the title thereto being registered as evidenced by Certificate of Title No. 354197;

together with that part of Tracts B and C described below:

Tract B. Outlot One and Outlot Two, Glenwood Renewal Subdivision No. 2, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, excepting therefrom that part of Outlot 2, "Glenwood Renewal Subdivision No. 2" embraced within Lot 38, Block 2, Oaklake Addition to the City of Minneapolis and that part of the adjoining vacated alley lying northwesterly of the center line thereof and between the extensions across it of the west line of said Lot 38 and the east line of said Outlot 2;

also excepting therefrom that part of Outlot 2, "Glenwood Renewal Subdivision No. 2", embraced within Lot 39, Block 2, Oaklake Addition to the City of Minneapolis and that part of the adjoining vacated alley lying northwesterly of the center line thereof and between the extensions of the east and west lines of said Lot 39;

also excepting therefrom that part of Outlot 1, "Glenwood Renewal Subdivision No. 2", embraced within Lot 14, Block 2, Oaklake Addition to the City of Minneapolis and that part of adjoining vacated alley lying south and southeasterly of the center line thereof and between extensions across it of the southwesterly line of said Lot 14 and the east line of said Outlot 1; and

That part of Outlot 2, "Glenwood Renewal Subdivision No. 2", embraced within Lots 14 and 15, Block 2, Oaklake Addition to the City of Minneapolis and that part of adjoining vacated alley lying south and southeasterly of the center line thereof and between extensions across it of the east line of Outlot 1, "Glenwood Renewal Subdivision No. 2", and a line drawn from a point on the southerly line of said Lot 15 equidistant from the southwesterly and southeasterly corners thereof to a point on the northerly line of said Lot 15 equidistant from the northwesterly and northeasterly corners thereof, and that part of adjoining vacated Highland Avenue lying northwesterly of the center line thereof and between extensions across it of the southwesterly line of said Lot 14 and the east line of said Outlot 2; also excepting therefrom that part of Outlot 1, "Glenwood Renewal Subdivision No. 2", formerly embraced within Lots 1 and 2, Block 2, Oaklake Addition to the City of Minneapolis, including that part of the West One-Half of adjoining vacated alley lying between the extensions across it of the north line of said Lot 1 and the south line of said Lot 2;

Tract C. That part of Outlot 1, "Glenwood Renewal Subdivision No. 2", formerly embraced within Lots 1 and 2, Block 2, Oaklake Addition to the City of Minneapolis, including that part of the West One-Half of adjoining vacated alley lying between the extensions across it of the north line of said Lot 1 and the south line of said Lot 2; the title thereto being registered as evidenced by Certificate of Title No. 354197;

which lies easterly of Line 1 described below:

Line 1. Beginning at a point on the north line of said Outlot One, distant 230 feet westerly of the northeast corner of said Outlot Two; thence run southeasterly to a point distant 135 feet westerly (measured at right angles) of a point on the east line of said Outlot Two, distant 460 feet southerly of the northeast corner thereof; thence run southeasterly to a point distant 75 feet westerly (measured at right angles) of a point on the east line of said Outlot Two, distant 630 feet southerly of the northeast corner thereof; thence run southerly to a point on the westerly extension of the north line of Lot 1, Block 3, Glenwood Renewal Subdivision No. 2, distant 40 feet westerly of the northeast corner thereof; thence run southerly to a point distant 275 feet easterly (measured at right angles) of a point on the east line of Lyndale Avenue North as located and established prior to January 1, 1976, distant 418.23 feet northerly of its intersection with the north line of Glenwood Avenue; thence run southerly and parallel with said east line of Lyndale Avenue North for 200 feet and there terminating.

Parcels 3E and 203E S.P. 2781 (94=392) 920

That part of Tract A described below:

Tract A. That part of Lots 7, 8, 9, 10, 11 and 12, Block 8, Oak Lake Addition to Minneapolis, and those parts of Lakeside Avenue, Lawn Place and Border Avenue vacated and that part of the unplatted land lying between Border Avenue, Lakeside Avenue and Lawn Place, described as follows: Beginning at a point 115 feet easterly of the northeast corner of said Lot 9 and 155 feet northerly of the southeast corner of said Lot 12; thence westerly 115 feet to the northeast corner of said Lot 9; thence westerly 135 feet to a point 139 feet northerly of the southwest corner of said Lot 7; thence southerly 124.6 feet along a line which if extended would intersect the southwest corner of said Lot 7; thence easterly deflecting left at an angle of 99 degrees 30 minutes a distance of 203.5 feet; thence easterly deflecting left at an angle of 02 degrees 34 minutes a distance of 53 feet; thence northerly deflecting left at an angle of 82 degrees 21 minutes a distance of 3 feet; thence easterly deflecting right at an angle of 82 degrees 21 minutes a distance of 16.27 feet to the intersection with a straight line drawn southerly from the point of beginning to the southeast corner of said Lot 12; thence northerly in a straight line 109.95 feet to the point of beginning, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota; the title thereto being registered as evidenced by Certificate of Title No. 785976;

which lies westerly of Line 1 described below:

Line 1. Beginning at a point on the north line of Tract A hereinbefore described, distant 241.67 feet west of the northeast corner thereof; thence run southerly at an angle of 87 degrees 35 minutes 38 seconds from said north line (measured from east to south) for 200 feet and there terminating;

together with that part of Tract A hereinbefore described adjoining and easterly of the above described strip, which lies westerly of the following described line: Beginning at a point on Line 1 described above, distant 72.36 feet southerly of its point of beginning; thence run southerly to a point on the south line of said Tract A, distant 5 feet easterly of its intersection with said Line 1 and there terminating.

**Parcel 203F
and
Part of Parcels 3F and 3G S.P. 2781 (94=392) 920**

That part of Tract A described below:

Tract A. All of Lots 5 and 6, Block 8, Oak Lake Addition, and that part of Lot 7 in said Block 8, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, lying southerly of the following described line: Commencing at a point on the easterly line of Lakeside Avenue, as now existing (said easterly line of Lakeside Avenue being a straight line running from the southwest corner of said Lot 7 to a point distant 139 feet northerly from said southwest corner of said Lot 7 and distant 135 feet westerly from the northeast corner of Lot 9 in said Block 8), distant 14.4 feet northerly from the southwest corner of Lot 7; thence easterly at an angle of 99 degrees 30 minutes 00 seconds to the left from the above described easterly line of Lakeside Avenue a distance of 203.5 feet and there terminating; also includes all of the alley vacated in said Block 8;

which lies northerly of a line run parallel with and distant 80 feet southerly of the north line of said Lots 5 and 6, easterly of a line run parallel with and distant 275 feet easterly of the east line of Lyndale Avenue North as located prior to January 1, 1976 and westerly of Line 1 described below;

Line 1. Beginning at a point on said 80 foot parallel line, distant 45 feet westerly of its intersection with the easterly line of Lot 5, said Block 8; thence run northerly to a point on the southerly line of Lot 7, said Block 8, distant 64 feet westerly of the southeast corner thereof; thence continue northerly on the last described course for 30 feet and there terminating.

Parcel 3H S.P. 2781 (94=392) 920

That part of Tract A described below:

Tract A. That part of vacated Lake, vacated Lawn, vacated Lawn Place, vacated Lakeside Avenue, vacated Border Avenue, as platted in Oaklake Addition to the City of Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, described as follows: Commencing at the southeast corner of Outlot Lot 2, "Glenwood Renewal Subdivision No. 2"; thence south 183.7 feet to a point 139 feet northerly of the southwest corner of Lot 7, Block 8, Oaklake Addition to the City of Minneapolis and 135 feet westerly of the northeast corner of Lot 9 in said Block 8; thence easterly 135 feet to the northeast corner of said Lot 9; thence easterly 115 feet to a point 155 feet northerly of the southeast corner of Lot 12 in said Block 8; thence continuing easterly on an extension of the last described course 69.03 feet to its intersection with the southerly extension of the east line of Block 8, "Glenwood Renewal Subdivision No. 2"; thence northerly along said east line extended to a point 162 feet south of the south line of "Glenwood Renewal Subdivision No. 2"; thence west parallel with last said south line 185.6 feet; thence north parallel with the southerly extension of the east line of Block 8, "Glenwood Renewal Subdivision No. 2" to the south line of said "Glenwood Renewal Subdivision No. 2"; thence west along last said south line 140 feet to point of beginning;

which lies westerly of Line 1 described below:

Line 1. Beginning at a point on the south line of said Tract A, distant 126.67 feet westerly of the northeast corner of Lot 9 said Block 8; thence run northerly to a point on the southerly line of Third Avenue North, distant 310 feet westerly of its intersection with the southerly extension of the east line of said Block 3 and there terminating.

Parcel 3J S.P. 2781 (94=392) 920

That part of Tract A described below:

Tract A. The West Half of Lot 1, Block 3, "Glenwood Renewal Subdivision No. 2", according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

which lies westerly of Line 1 described below:

Line 1. Beginning at a point on the southerly line of said Block 3, distant 13 feet easterly of the southwest corner thereof; thence run northerly to a point distant 120 feet north and

the westerly line of said Block 3, distant 35 feet southerly of the northwest corner thereof and there terminating.

**Part of Parcels 17B, 17C, 17D and 17G
S.P. 2781 (94=392) 922**

That part of Tracts A and B described below:

Tract A. That part of the west 80 feet of the east 135 feet of the south 165 feet of Block 18, Case and Moore's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, lying northwesterly of the following described line: Beginning at a point on the south line of said Block 18, distant 20 feet east of the southwest corner thereof; thence run northeasterly to the point of intersection of a line run parallel with and distant 34 feet north of the south line of said Block 18 with a line run parallel with and distant 32 feet east of the west line of said Block 18; thence run northeasterly to a point on the east line of the west 80 feet of said Block 18, distant 105 feet northerly of the south line of said Block 18 and there terminating;

Tract B. That part of Block 18, Case and Moore's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, described as follows: Commencing at the northeasterly corner of said Block 18; thence west on the south line of 15th Avenue North, 110 feet; thence at right angles in a southerly direction 165 feet; thence at right angles in an easterly direction 110 feet; thence at right angles in a northerly direction 165 feet to the place of beginning;

which lies southeasterly of Line 1 described below:

Line 1. Beginning at a point on the westerly extension of the south line of said Block 18, distant 40 feet west of the southwest corner thereof; thence run northeasterly to a point on the northerly extension of the east line of said Block 18, distant 20 feet northerly of the northeast corner thereof and there terminating.

Parcel 17E S.P. 2781 (94=392) 922

That part of Tract A described below:

Tract A. The east 55 feet of the South One-Half of Block 18, Case and Moore's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the county recorder in and for Hennepin County, Minnesota;

which lies northwesterly of Line 1 described below:

Line 1. Beginning at a point on the west line of Tract A hereinbefore described, distant 105 feet north of the southwest corner thereof; thence run northeasterly to a point on the north line of said Tract A, distant 28 feet west of the northeast corner thereof and there terminating;

the title thereto being registered as evidenced by Certificate of Title No. 581516.

Parcel 17L S.P. 2781 (94=392) 922

That part of Tract A described below:

Tract A. Lots 5 and 6, Block 20, Bassett, Moore and Case's Addition to the Town of Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

which lies westerly of Line 1 described below:

Line 1. Beginning at the southwest corner of said Lot 5; thence run northeasterly to a point on the north line of said Lot 6, distant 90 feet west of the northeast corner thereof and there terminating.

**Part of Parcels 21A and 21B
and
Parcels 21C and 21D S.P. (94=392) 923**

That part of Tract A described below:

Tract A. That part of Lots 6, 7, 8, 9 and 10, Block 1, Reno's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, lying easterly of the following described line: Beginning at a point on the north line of said Lot 6, distant 5 feet west of the northeast corner thereof; thence run southwesterly to a point on the south line of said Lot 7, distant 130 feet east of the southwest corner thereof; thence run southwesterly to a point on the south line of said Lot 9, distant 95 feet east of the southwest corner thereof; thence run southwesterly to a point on the south line of said Lot 10, distant 58 feet east of the southwest corner thereof and there terminating;

which lies westerly of Line 1 described below:

Line 1. Beginning at a point on the south line of said Lot 10, distant 118 feet easterly of the southwest corner thereof; thence run northeasterly to a point on the south line of said Lot 8, distant 155 feet easterly of the southwest corner thereof; thence run northeasterly to a point on the easterly extension of the north line of said Lot 6, distant 40 feet easterly of the northeast corner thereof and there terminating.

Parcel 21E S.P. 2781 (94=392) 923

That part of Tract A described below:

Tract A. Lot 5, Block 1, Reno's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

which lies southeasterly of Line 1 described below:

Line 1. Beginning at a point on the south line of said Lot 5, distant 5 feet westerly of the southeast corner thereof; thence run northeasterly to a point on the east line of said Lot 5, distant 15 feet northerly of the southeast corner thereof and there terminating.

Parcel 13B S.P. 2781 (94=392) 923

That part of Tract A described below:

Tract A. Lot 10, Block 13, the Town of North Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

which lies southwesterly of Line 1 described below:

Line 1. Beginning at a point on the west line of said Lot 10, distant 10 feet north of the southwest corner thereof; thence run southeasterly to a point on the south line of said Lot 10, distant 10 feet east of the southwest corner thereof and there terminating.

**Parcels 60E and 60F
and
Part of Parcels 60A, 60B, 60D and 46A S.P. 2781 (94=392) 927**

That part of Tract A described below:

Tract A. All of Lot 16, Block 2 and that part of Lots 19, 20, 21, 23 and 24, Block 5, Farnham's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, lying easterly of the following described line: Beginning at a point on the south line of said Lot 19, distant 150 feet easterly of the southwest corner thereof; thence run northwesterly to a point on the north line of said Lot 21, distant 120 feet easterly of the northwest corner thereof; thence run northwesterly to a point on the south line of said Lot 24, distant 95 feet easterly of the southwest corner thereof; thence run northwesterly to a point on the north line of said Lot 24, distant 90 feet easterly of the northwest corner thereof and there terminating;

which lies westerly of Line 1 described below:

Line 1. Beginning at a point on the west line of Lot 7, said Block 5, distant 30 feet northerly of the intersection of its southerly extension with the easterly extension of the south line of said Lot 19; thence run northwesterly to a point on the north line of Lot 16, said Block 2, distant 65 feet easterly of the northwest corner thereof and there terminating.

Parcel 60C S.P. 2781 (94=392) 927

That part of Tract A described below:

Tract A. That part of Lot 22, Block 5, Farnham's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, lying easterly of the following described line: Beginning at a point on the north line of Lot 23, said Block 5, distant 95 feet east of the northwest corner thereof; thence run southeasterly to a point on the south line of said Lot 22, distant 120 feet east of the southwest corner thereof and there terminating; the title thereto being registered as evidenced by Certificate of Title No. 647717;

which lies westerly of Line 1 described below:

Line 1. Beginning at a point on the west line of Lot 7, said Block 5, distant 30 feet northerly of the intersection of its southerly extension with the easterly extension of the south line of Lot 19, said Block 5; thence run northwesterly to a point on the north line of Lot 16, Block 2, Farnham's Addition to Minneapolis, distant 65 feet easterly of the northwest corner thereof and there terminating.

Part of Parcel 61B S.P. 2781 (94=392) 927

That part of Tract A described below:

Tract A. The west 50 feet of the east 90 feet of Lots 25, 26 and 27, Block 5, Farnham's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota;

which lies westerly of Line 1 described below:

Line 1. Beginning at a point on the west line of Lot 7, said Block 5, distant 30 feet northerly of the intersection of its southerly extension with the easterly extension of the south line of Lot 19, said Block 5; thence run northwesterly to a point on the north line of Lot 16, Block 2, Farnham's Addition to Minneapolis, distant 65 feet easterly of the northwest corner thereof and there terminating.

**Parcels 30 and 31
and
Part of Parcels 28 and 29 S.P. 2781 (94=392) 928**

That part of Tract A described below:

Tract A. That part of Lots 14, 15, 16 and 17, Block 1, Farnham's Addition to Minneapolis, according to the plat thereof on file and of record in the office of the County Recorder in and for Hennepin County, Minnesota, lying westerly of the following described line: Beginning at the northwest corner of said Lot 17; thence run southeasterly to a point on the south line of Lot 13, said Block 1, distant 15 feet west of the southeast corner of Lot 13, said Block 1 and there terminating;

which lies easterly of Line 1 described below:

Line 1. Beginning at a point on the south line of Lot 13, said Block 1, distant 65 feet west of the southeast corner thereof; thence run northwesterly to a point on the westerly extension of the north line of said Lot 17, distant 50 feet westerly of the northwest corner thereof.

Parcel 27 S.P. 2781 (94=392) 928

All that part of the following described lot:

Lot 13, Block 1, Farnham's Addition to Minneapolis, according to the duly recorded plat thereof, situate in Hennepin County, Minnesota;

which lies westerly of the following described line:

Beginning at a point on the south line of said Lot 13, distant 15 feet west of the southeast corner thereof; thence run northwesterly to the northwest corner of Lot 17, said Block 1 and there terminating;

the title thereto being registered and evidenced by Certificate of Title No. 173779.

RESERVATIONS CLAUSE:

Subject to the following restrictions and reservations:

No access shall be permitted to Trunk Highway No. 392 renumbered 94 from the lands herein described and conveyed in Parcels 4, 5, 64, 264, 64A, 64B, 66 on S.P. 2781 (94=392) 919, on Parcel 3A on S.P. 2781 (94=392) 920, on Parcels 17B, 17C, 17D, 17G and 17L on S.P. 2781 (94=392) 922, on Parcels 21A, 21B, 21C, 21D and 21E on S.P. 2781 (94=392) 923, on Parcels 46A, 60A, 60B, 60C, 60D, 60E, 60F and 61B on S.P. 2781 (94=392) 927 and on Parcels 27, 28, 29, 30 and 31 on S.P. 2781 (94=392) 928; except that access shall be permitted between two lines run parallel with and distant 460 feet and 630 feet southerly of the north line of Outlot One of Glenwood Renewal Subdivision No. 2; also except that access shall be permitted by way of the south 66 feet of Outlot Two of Glenwood Renewal Subdivision No. 2.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends that the proper City Officers be authorized to execute an interim contract with Hennepin Transfer Inc. to provide for the operation, maintenance and transportation of waste from the City's South Transfer Station. Said contract shall be for service through December 31, 1998 and have an annual contract value of approximately \$250,000, payable from PW – Solid Waste (770-664-6659).

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a report back on the test results of temporarily closing 1st Av S in order to divert traffic onto Nicollet Av at Cecil Newman Dr, now recommends that a partial diversion be temporarily implemented, whereby most northbound traffic would be diverted to Nicollet Av via Cecil Newman Dr, with only the far right lane of traffic proceeding north on 1st Av to E 28th St where a right turn only will be allowed. Said temporary partial diversion will be implemented in September 1997, after completion of construction work on Nicollet Avenue. Staff will conduct traffic counts before installing the partial diversion, as well as during the winter season. Staff will report back to Committee in late spring or early summer 1998 with information on the test and a funding proposal for making the diversion permanent.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee recommends passage of the accompanying Resolution designating the improvement of the alley in the block betw 15th and Bloomington Avs S from 36th to 37th Sts E by replacing a retaining wall, Special Improvement of Existing Street No 2971.

Your Committee further recommends summary publication of the above-described Resolution.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Resolution 97R-256, designating the improvement of the alley in the block betw 15th and Bloomington Avs S from 36th to 37th Sts E by replacing a retaining wall, Special Improvement of Existing Street No 2971, was passed August 22, 1997 by the City Council and approved August 28, 1997 by the Mayor. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 97R-256
By Dziedzic

SPECIAL IMPROVEMENT OF
EXISTING STREET NO 2971

Designating the improvement of the alley in the block betw 15th and Bloomington Avs S from 36th to 37th Sts E by replacing a retaining wall.

Resolved by The City Council of The City of Minneapolis:

That the following existing alley within the City of Minneapolis is hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by replacing a retaining wall and including other related improvements and work as needed: portion of retaining wall adjacent to 3615 and 3619 15th Av S in the N-S alley betw 15th and Bloomington Avs S from 36th to 37th Sts E.

Adopted. Yeas, 12; Nays none.

Absent - Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW – Your Committee, having received a cost estimate of \$58,202 for alley retaining wall replacement improvements and a list of benefited properties for the N-S alley in the block betw 15th and Bloomington Avs S from 36th to 37th Sts E, Special Improvement of Existing Street No 2971, as designated by Resolution 97R-256 passed August 22, 1997, now recommends that the City Engineer be directed to prepare a proposed Alley Retaining Wall Replacement Special Improvement Assessment against the list of benefited properties by assessing 25% of the cost to properties abutting the alley with the remaining 75% of the cost to be paid for by the City.

Your Committee further recommends that the City Clerk be directed to give notice of a public hearing to be held by the Transportation and Public Works Committee on September 18, 1997, in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances, to consider approving the construction of the above designated alley retaining wall replacement project and to consider the amount proposed to be assessed to each benefited property and the amount to be funded by the City.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **TRANSPORTATION & PUBLIC WORKS** and **WAYS & MEANS/BUDGET** Committees submitted the following reports:

T&PW & W&M/Budget – Your Committee recommends acceptance of the following bids in accordance with City specifications (Petr No 263036):

a) OP #4554, low bid meeting specifications submitted by Ess Brothers and Sons, in the amount of \$40,250, for furnishing and delivering manhole adjusting rings to Public Works.

b) OP #4652, low bid submitted by Madsen Johnson Corporation, in the amount of \$448,888, for removal of existing under drain system,

including concrete ridge blocks and under water troughs, and installation of a new under drain system and troughs for a sustained simultaneous air/water back wash system for the Water Department.

c) OP #4673, low bid meeting specifications submitted by A. J. Spanjers Company, Inc., in the amount of \$11,655, for furnishing all labor, materials, equipment and incidentals necessary to replace existing caulking around the perimeter of the Loring Municipal Parking Ramp and Hyatt Hotel Exhibition Hall.

d) OP #4665, low bid submitted by Meridian Aggregate Corporation, for an estimated annual expenditure of \$117,000, for furnishing and delivering 100% crushed Class A fine aggregate for the Public Works Street Department as called for during the period of August 1, 1997 through May 31, 1998. Quantities may be increased up to 100% with no increase in price. The contract can be extended for one additional year, through May 31, 1999, at the sole option of the City of Minneapolis.

e) OP #4667, low bid meeting specifications submitted by Lino Lakes Landscaping, Inc., for an estimated expenditure of \$150,000, for furnishing all labor, materials, equipment and incidentals necessary to accomplish turf establishment during the period approximately September 1, 1997 through June 15, 1998.

f) OP #4674, only bid of General Safety Equipment, in the amount of \$381,876, for furnishing and delivering three fire truck pumper/hose bodies. Vendor offers to furnish an additional three units with a 3% increase over the bid price.

Your Committee further recommends that the proper City Officers be authorized to execute contracts for the above projects and/or services, in accordance with City specifications.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the U.S. Courthouse Pedestrian System Improvement Project (SP 141-341-04), now recommends approval of change orders, amounting to \$23,211, for work performed by Cy-Con, Inc. on the City Hall Tunnel, part of the pedestrian facilities serving the new parking ramp and the new U.S. Courthouse, as listed in

Petn No 263035 on file in the Office of the City Clerk. Further, that the proper City Officers be authorized to increase Contract No 11231 with Cy-Con, Inc., by \$23,211 for a total contract amount not to exceed \$392,711, payable from PW – Transportation – Capital (410-943-9464).

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends passage of the accompanying Resolution appropriating \$50,000 to the PW – Transportation – Capital Agency to provide funds for the relocation of traffic signal facilities associated with the renovation of Loring Park, to be reimbursed from the Minneapolis Park Board.

RESOLUTION 97R-257

By Dziedzic and Campbell

Amending The 1997 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the PW – Transportation – Capital Agency in the Permanent Improvement Projects Fund (410-943-9440) by \$50,000 and increasing the revenue source (410-943-9440 – Source 3755) by \$50,000.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee recommends that the Department of Public Works, Transportation Division, be authorized to implement a traffic management plan in the Northeast Park Neighborhood. Traffic calming measures, consisting of traffic circles and speed humps, will be installed on Fillmore St NE betw Broadway St NE & 18th Av NE and on 14th Av NE betw Johnson St NE & Fillmore St NE, at an estimated expenditure of \$37,000, to be reimbursed

from Northeast Park Neighborhood Revitalization Program (NRP) funds.

Your Committee further recommends passage of the accompanying Resolution appropriating \$7,000 to the PW – Transportation – Capital Agency, to supplement an earlier appropriation of \$30,000, to implement said traffic management plan.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-258

By Dziedzic and Campbell

Amending The 1997 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the PW – Transportation – Capital Agency in the Permanent Improvement Projects Fund (410-943-9440) by \$7,000 and increasing the revenue source (410-943-9440 – Source 3845) by \$7,000.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the reconstruction of the Franklin Av SE, East River Parkway and 27th Av SE Intersection in the Prospect Park/East River Road Neighborhood, now recommends that the proper City Officers be authorized to complete final designs and reconstruct said intersection, at an estimated expenditure of \$245,000, to improve conditions for pedestrians and bicyclists and simplifying vehicular traffic movements, to be reimbursed from Prospect Park/East River Road Neighborhood Revitalization Program funds earmarked for neighborhood transportation plan development, testing and implementation, and the Minneapolis Park & Recreation Board.

Your Committee further recommends passage of the accompanying Resolution appropriating \$45,000 to the PW – Transportation – Capital Agency, to supplement already appropriated funds, to support said intersection reconstruction.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-259

By Dziedzic and Campbell

Amending The 1997 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the PW – Transportation – Capital Agency in the Permanent Improvement Projects Fund (410-943-9440) by \$45,000 and increasing the revenue source (410-943-9440 – Source 3845) by \$45,000.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration the construction of E 50th Street from the I-35W east bridge approach to E Minnehaha Pkwy, now recommends that the adopted Five-year Capital Program be revised to reflect that the E 50th St Project (Phase II) shall be built in 1997.

Your Committee further recommends passage of the accompanying Resolutions:

a. appropriating \$600,000 to construct said project; and

b. declaring the City's intent to reimburse the temporary funding source to construct Phase II of said project.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-260
By Dziedzic and Campbell

**Amending The 1997 Capital Improvement
Appropriation Resolution.**

Resolved by The City Council of The City of
Minneapolis:

That the above-entitled Resolution, as
amended, be further amended by increasing the
following appropriations for construction of the E
50th Street – Phase II from I-35W to E Minnehaha
Parkway Project:

a. the PW – Streets & Malls Capital Agency in
the Permanent Improvement Projects Fund (410-
937-9372) by \$520,000; and

b. the PW – Sewer Construction Capital
Agency in the Permanent Improvement Projects
Fund (410-932-9322) by \$80,000.

Be It Further Resolved that the revenue sources
for the above project have been identified as
\$450,000 Municipal State Aid and \$150,000 Net
Debt Bonds to be issued in May of 1998; up to
\$150,000 in temporary financing is authorized to be
borrowed from the Parking Fund 750 until receipt
of the bond proceeds in June of 1998.

Revenue budgets will be revised as follows:

(410-937-9372 – Source 3215) \$380,000;

(410-937-9372 – Source 3880) \$140,000;

(410-932-9322 – Source 3215) \$70,000;

(410-932-9322 – Source 3880) \$10,000.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes,
President of Council.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-261
By Dziedzic and Campbell

**Declaring the City's intent to reimburse
the temporary funding source to construct the
E 50th Street – Phase II from I-35W to E
Minnehaha Parkway Project.**

Resolved by The City Council of The City of
Minneapolis:

That it hereby declares its intent to complete
Phase II of E 50th St from the east approach of
I-35W to E Minnehaha Pkwy in 1997. This project
originally scheduled for 1998 construction will
require a temporary funding source of \$150,000.
The temporary source of funding for the Net Debt
component is the Parking Fund 750.

Be It Further Resolved that it further declares
its official reimbursement intent in connection with
the project described above pursuant to Treasury
Regs SS 1.103-17 and 1.103-18. Specifically Net
Debt Bonds, \$150,000 will be issued in 1998 for
Phase II of E 50th St which will reimburse the costs
paid for by the temporary funding source.

Be It Further Resolved that the above
reimbursement declaration shall be filed with the
Board of Estimate & Taxation.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes,
President of Council.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee
recommends that the proper City Officers be
authorized to issue Request for Proposals for
engineering services to provide design and
construction documents to replace the existing
heating, ventilating and air conditioning system at
the Water Works' Fridley Softening Plant.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton,
Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee,
having received a report on the feasibility of
redeveloping the existing Greyhound/Jefferson
Terminal site located adjacent to the TAD 7 Garage
into a new terminal, now recommends:

a. approval, in concept, of the facility design of
an 875 car parking ramp structure with a ground
floor bus terminal, as shown on the conceptual
design attached to Petn No 263034 on file in the
Office of the City Clerk;

b. direct staff to finalize negotiations for the
acquisition of the site and report back with a request
for the necessary appropriation;

c. direct the City Engineer and Finance Department to develop the necessary funding program for the construction of the ramp and terminal;

d. direct staff to finalize the necessary lease agreements with Greyhound/Jefferson Lines to occupy the terminal portion of the facility; and

e. direct staff to pursue discussion with state and federal agencies to identify grants for said development.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

T&PW & W&M/Budget – Your Committee, having under consideration a proposal for a Phillips Transit Circulator Demonstration Project whereby a shuttle bus will transport people from the Phillips Neighborhood to the Minnehaha Mall area during the Hiawatha Reconstruction period, as shown on the preliminary routing map set forth in Petn No 263034, now recommends support of said demonstration project, and that the proper City Officers be authorized to execute an agreement with the Metropolitan Council to provide for the City's payment of \$30,000 as its share of the cost of the transit circulator.

Your Committee further recommends passage of the accompanying Resolution appropriating \$30,000 to the PW – Transportation Agency to provide funds for said project, with \$7,500 to be reimbursed from contributions from Target Stores, Rainbow Foods and Cub Foods.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-262

By Dziedzic and Campbell

Amending the 1997 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the PW – Transportation Agency

in Parking Fund (750-685-6895) by \$30,000, and increasing the revenue source (750-685-6895 – Source 3455) by \$7,500.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **WAYS & MEANS/BUDGET** Committee submitted the following reports:

W&M/Budget – Your Committee recommends to the Neighborhood Revitalization Program (NRP) Policy Board that all elected officials be allowed to address the Policy Board and speak at other NRP meetings on any issue at any time.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having under consideration the 1997 Mid-Year Budget Status Report (Petr No 263046) and accompanying budget recommendations of the Mayor, now recommends:

a) Authorization to transfer up to \$1 million from the General Fund Contingency to the Snow and Ice Removal Budget through December 31, 1997, based on appropriation needs;

b) That the Finance Department be directed to provide options for consideration as part of the Third Quarter and Preliminary Year-End Budget Reviews which would provide for a contingency above the ten percent fund reserve level; and

c) That departmental discretionary funding requests be deferred with a direction to staff to manage new costs through one-time reductions in the 1997 budget and with the understanding that appropriation needs will be reviewed as part of the Third Quarter and Year-End Budget Reviews.

Your Committee further recommends passage of the accompanying amendment to the 1997 General Appropriation Resolution providing for technical appropriation and revenue adjustments and adding one footnote regarding the administrative appropriation of funds for approved Neighborhood Revitalization Program (NRP) projects.

Campbell moved to amend the report as follows:

a) By amending footnote “d”, Item 15 in the accompanying amendment to the General Appropriation Resolution by deleting the word “approval” and inserting in lieu thereof the word “consultation”; and

b) By adding a resolution amending the 1997 Capital Improvement Appropriation Resolution by increasing the SISPP Agency by \$1,000,000 as interim funding. Seconded.

Adopted upon a voice vote.

The report, as amended, was adopted.

Yeas, 11; Nays none.

Absent – Herron, Rainville.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

RESOLUTION 97R-263

By Campbell

Amending The 1997 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

Agency Name	Fund	Agency	Cost Ctr	Amount
Non Departmental	010	123	1231	\$ 362,500
Transfers	010	127	1270	(362,500)
PW-Sewer Conn	010	630	6360	100,000
Licenses	010	835	8360	16,028
Coordinator-Admin	010	840	8401	5,000
Coordinator-Arts Comm	010	840	8405	15,731
Finance	030	820	8230	35,000
Non Departmental	040	123	1231	20,000
Transfers	040	127	1270	(20,000)
Finance	060	820	8230	(35,000)
Transportation	750	685	6895	(22,000)
Finance	750	820	8240	22,000

Be It Further Resolved that the following item be added to Footnote D which lists technical changes which the Finance Officer is authorized to approve:

“d) (15) to adjust appropriations with respect to Neighborhood Revitalization Program (NRP) reimbursements for services provided, in amounts up to \$10,000, with consultation from the Council Member of the ward.”

Adopted. Yeas, 11; Nays none.

Absent – Herron, Rainville.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Portion republished September 20, 1997).

RESOLUTION 97R-264

By Campbell

Amending The 1997 Capital Improvement Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the SISPP Agency in the Permanent Improvement Projects Fund (410-972-9725) by \$1,000,000, to provide interim funding for the Strategic Information Systems Project from future bond sale proceeds.

Adopted. Yeas, 11; Nays none.

Absent – Herron, Rainville.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

(Portion republished September 20, 1997).

W&M/Budget – Your Committee recommends that the lawsuits filed against the City by the following individuals be settled as follows:

690-150 Alyson Anderson and Gerald R. Keating, her attorney, \$15,000;

Ray Robinson and James A. Reichert, his attorney, \$15,000;

Lillie Robinson and James A Reichert, her attorney, \$17,500.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to accept the proposal of ReliaStar for the provision of group life insurance coverage for City employees for the period of January 1, 1998 through December 31, 2000. The selection of ReliaStar is based on the results of a Request for Proposals.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee, having received a request from the Minneapolis Park and Recreation Board to include an insert in upcoming City utility billings concerning Fall yard care, now recommends approval to insert said promotional piece for mailing with the September 1997 utility bills.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee recommends that the proper City officers be authorized to issue the following Fund Availability Notice (FAN) to Loring Nicollet Bethlehem Community Centers to provide funds for a demonstration project which will connect residents of Harriet Tubman Shelter with employment services through the Neighborhood Employment Network:

Master					
Funds	Agency	Contr #	Period	Amount	FAN#
030-860-8600	LNbcc	10008	8/1/97 – 3/31/99	\$26,702	38-1

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee

recommends that the proper City officers be authorized to modify Agreement #9015 with the Minnesota Housing Finance Agency by extending the expiration date to November 30, 2000. Said modification provides for the continuance of rental assistance programs to families enrolled in self-sufficiency programs through the Minneapolis Employment & Training Program and the Minneapolis Public Housing Authority.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

W&M/Budget – Your Committee

recommends that the proper City officers be authorized to receive a grant from TCF Foundation in the amount of \$50,000 and to utilize the funds to provide incentive payments to Minneapolis Employment and Training Program vendors for the placement of Minneapolis residents on public assistance into banking and finance jobs at TCF Bank. The maximum total incentive payment per client for one year shall be \$1,000.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

The **ZONING & PLANNING** Committee submitted the following reports:

Z&P – Your Committee, having under consideration the appeal filed by Sharon Jacobson (A-313) from the decision of the Board of Adjustment denying her application to appeal the decision of the Zoning Administrator that an application for increase in maximum garage height from 12' to 14.25' to midpoint of roof to permit a new 30' X 32' garage at 4558 Emerson Av N exceeds the authorized 60 percent of the house height, now recommends that said appeal be granted, in accordance with the Findings of Fact on file in the office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee, having under consideration the appeal filed by Becky Thorson (V-4193) from the decision of the Board of Adjustment denying her application for increase in fence height from 6' to 7-1/2' to permit a 7-1/2' solid picket-type fence at 3321 – 47th Av S to run along the adjoining house to the north, now recommends that said appeal be granted, in accordance with the Findings of Fact on file in the office of the City Clerk and made a part of this report by reference.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends granting the following applications for special permits, notwithstanding the Zoning Code –

a) Lee Engler: Appl to operate a Taco Bell convenience food restaurant at 304 Oak St SE (#1997-148);

b) Steve Williams, for Metrodome Texaco: Appl to install a 32 square foot ground sign for Metrodome Texaco, 1221 Washington Av, to be located on 12th Av (#1997-157);

c) Christopher Rodgers, for Lyon's Pub: Appl to install a 3'-7" X 5'-7" projecting sign on the building at 16 S 6th St, subject to the condition that the sign cannot be transferred to a new owner and that the sign copy cannot be changed or altered (#1997-154).

Mead moved to divide the report so as to consider separately that portion relating to item "b".
Seconded.

Adopted by unanimous consent.

Mead moved adoption of the balance of the report. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Z&P – Your Committee recommends granting the following application for a special permit, notwithstanding the Zoning Code –

b) Steve Williams, for Metrodome Texaco: Appl to install a 32 square foot ground sign for Metrodome Texaco, 1221 Washington Av, to be located on 12th Av (#1997-157).

Mead moved that the report be postponed. Seconded.

Lost. Yeas, 6; Nays, 6 as follows:

Yeas – Schulstad, Dziedzic, Thurber, Niland, Mead, Cherryhomes.

Nays – Scott, Rainville, Campbell, Biernat, McDonald, Minn.

Absent – Herron.

The report was adopted.

Yeas, 9; Nays, 3 as follows:

Yeas – Scott, Schulstad, Rainville, Dziedzic, Thurber, Campbell, Biernat, McDonald, Minn.

Nays – Niland, Mead, Cherryhomes.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

MOTIONS

Campbell, Chair of the Ways & Means/Budget Committee, moved that the regular payrolls for all City employees under City Council jurisdiction for the month of September 1997 be approved and ordered paid subject to audit by the Finance Officer. Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Herron, McDonald.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

McDonald moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Robert Carney for a residential block event to be held Friday, August 15, 1997, between the hours of 5 p.m. and 10 p.m. on Colfax Av S between 42nd and 43rd Streets, having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 12; Nays none.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Minn moved to waive the 14-day filing time as required by Chapter 455 of the Minneapolis Code of Ordinances for applicant Maria Genne for a residential block event to be held Wednesday, August 27, 1997, between the hours of 10 a.m. and 10 p.m. on Beard Av S between W 45th and 46th Streets, having approval granted by Public Works and the Police departments to grant said waiver. Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Herron, McDonald.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Minn moved to approve the application of the Minneapolis Department of Public Works for a special permit, notwithstanding the Zoning Code, to allow construction of a fence, paving, landscaping, driveway and parking area for Wuolette Bakery, 3604 W 50th St (Lots 12, 13 & 14, Blk 7, Rutlands Lake Harriet Park Addn), prior to approval of applications for rezoning, variance, site plan review and minor subdivision (#1997-169). Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Herron, McDonald.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Thurber moved that the staff of the City Attorney's Office, Inspections Department and Zoning Office be directed not to enforce the compliance date reflected in Minneapolis Code of Ordinances Section 522.205 relating to home based occupations as amended May 23, 1997, pending further discussion and amendment. Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Herron, McDonald.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

Dziedzic moved to introduce the subject matter of an ordinance amending Title 5, Chapter 95 of the Minneapolis Code of Ordinances relating to

Building Code: Projections and Encroachments, for referral to the Transportation & Public Works Committee for a public hearing to be held September 4, 1997. Seconded.

Adopted upon a voice vote.

RESOLUTION

RESOLUTION 97R-265

By Minn, Cherryhomes,
Dziedzic, Campbell, Biernat,
Rainville, Niland,
Scott, Thurber,
McDonald and Schulstad

Urging the Metropolitan Airports Commission (MAC) to analyze the mission, structure, membership, and operation of the Metropolitan Aircraft Sound Abatement Council to ensure that it is fulfilling its role as a noise abatement organization.

Whereas, the Metropolitan Aircraft Sound Abatement Council (MASAC) has been in existence for nearly thirty years; and

Whereas, in the early years of its existence, the MASAC was successful in promoting several highly effective noise abatement strategies, such as the Preferential Runway System, pilot education programs, voluntary nighttime flight restrictions, etc.; and

Whereas, these successes made MASAC a model for other noise abatement organizations throughout the country; and

Whereas, in recent years the MASAC organization has experienced low attendance by the members, relative inactivity and disharmony at its meetings; and

Whereas, the MAC has created several ad hoc committees, such as the Noise Budget Task Force, the Stage Three Working Committee, the Project Area Committee for the PART 150 program, the Noise Mitigation Committee, etc., to deal with individual noise problems instead of referring the subject to MASAC; and

Whereas, other organizations have been revitalized by a thorough examination of their mission, organization, staffing level, and operations, either through a Strategic Planning Process or some other self-evaluation program; and

Whereas, the communities surrounding the Minneapolis-St. Paul International Airport need an

effective organization to deal with the persistent problem of aircraft noise;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That we urge the Metropolitan Airports Commission to thoroughly assess the MASAC and made the necessary changes to its role, organization, and operations or replace it with an entity that will attack the aircraft noise problem in a creative, effective manner.

Adopted. Yeas, 11; Nays none.

Absent – Herron, McDonald.

Passed August 22, 1997. J. Cherryhomes, President of Council.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

UNFINISHED BUSINESS

PS&RS – Your Committee recommends concurrence with the recommendation of the Mayor to reappoint Lucille Anderson, 1414 Laurel Av, Ward 5, to serve on the Civilian Police Review Authority (CPRA) for a 4-year term to expire June 30, 2001.

Adopted. Yeas, 10; Nays, 2 as follows:

Yeas – Scott, Rainville, Dziedzic, Thurber, Campbell, Biernat, Niland, McDonald, Mead, Cherryhomes.

Nays – Schulstad, Minn.

Absent – Herron.

Passed August 22, 1997.

Approved August 28, 1997. S. Sayles Belton, Mayor.

Attest: M. Keefe, City Clerk.

NEW BUSINESS

Scott offered an Ordinance amending Title 20, Chapter 522 of the Minneapolis Code of Ordinances relating to **Zoning Code: In General**, which was given its first reading and referred to the Zoning & Planning Committee (Adding clarification and new effective date to the home occupations ordinance Section 522.205).

Dziedzic offered an Ordinance amending Title 2 of the Minneapolis Code of Ordinances relating to **Administration**, adding a new Chapter 35 relating to **Capital Long Range Improvement Program Process**, which was given its first reading and referred to the Zoning & Planning Committee.

Dziedzic introduced and welcomed Frank Wolinski, a former Minneapolis City Council Member who served as Chair of the Public Safety Committee, and who served in World War II flying the same mission with Council Member Schulstad's father, visitor to the Council today.

Campbell moved that when this Council adjourns, it adjourns to Room 315 City Hall immediately following the Minneapolis Community Development Agency Board of Directors meeting on this date, and that such meeting be and is hereby declared to be an adjourned closed session of the regular meeting of August 22, 1997. Seconded.

Adopted. Yeas, 11; Nays none.

Absent – Herron, McDonald.

Adjourned.

MERRY KEEFE,
City Clerk.
97-8172